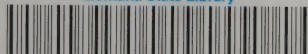


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HOUSE JOURNAL
OF THE
Forty-Fourth Legislature
OF THE
STATE OF MONTANA

VOLUME I

**Held at Helena, the Seat of Government of Said State,
Commencing in Regular Session January 6, 1975, and
Ending April 19, 1975.**

**Commencing in Special Session August 4, 1975, and
Ending August 4, 1975.**

PAT MCKITTRICK
Speaker of the House

Edwin A. Smith
Chief Clerk of the House

Linda Barrett
Journal Clerk

PUBLISHED BY
THE MONTANA LEGISLATIVE COUNCIL

HOUSE JOURNAL

OF THE

Forty-Fourth Legislature

OF THE

STATE OF MONTANA

Commencing in Regular Session
January 6, 1975, and Ending April 19, 1975

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August 4, 1975, and Ending August 4, 1975

OFFICERS AND MEMBERS HOUSE OF REPRESENTATIVES 1975

Pat McKittrick—Speaker of the House
Francis Bardanouve—Speaker Pro Tempore
John Driscoll—Majority Floor Leader
Lloyd Lockrem, Jr.—Minority Floor Leader
Edwin Smith—Chief Clerk

67 Democrats
33 Republicans
100 Representatives

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	POLITICS
Aageson, David	Gildford 59525	9	Hill	Republican
Anderson, C. R.	333½ E. Normal St., Dillon 59725	82	Beaverhead	Republican
Anderson, John H., Jr.	P.O. Box 101, Alder 59710	81	Madison	Republican
Asher, Wm. E. "Bill"	P.O. Box 467, Manhattan 59741	79	Gallatin	Republican
Babcock, Betty L.	720 Madison, Helena 59601	30	Lewis & Clark	Republican
Baeth, Russell	P. O. Box 184, Martin City 59926	15	Flathead	Democrat
Baeth, William R. (Bill)	805 Minnesota Ave., Libby 59923	21	Lincoln	Democrat
Bardanouve, Francis	Harlem 59526	6	Blaine	Democrat
Barrett, Fred O.	259 Maple, Lewiston 59457	48	Fergus	Republican
Bengtson, Esther G.	Shepherd 59079	59	Yellowstone	Democrat
Bertelsen, Verner L.	Box 65, Ovando 59854	27	Powell	Republican
Bradley, Dorothy	P. O. Box 931, Bozeman 59715	77	Gallatin	Democrat
Brand, Joe	800 Montana Ave., Deer Lodge 59722	28	Powell	Democrat
Casey, Dennis D.	420 Johnson St., Wolf Point 59201	3	Roosevelt	Republican
Conroy, Thomas R.	607 W. 3rd St., Hardin 59034	58	Big Horn	Democrat
Dassinger, E. N.	Box 753, Forsyth 59327	50	Rosebud	Democrat
Day, William M. (Willie)	Bloomfield Rt., Glendive 59330	54	Dawson	Democrat
Driscoll, John Brian	424 S. Second, Hamilton 59840	91	Ravalli	Democrat
Dussault, Ann Mary	Rt. 2, Mullan Rd., Missoula 59801	95	Missoula	Democrat
Ellerd, Robert A.	2206 Bridger Dr., Bozeman 59715	75	Gallatin	Republican
Ellis, Howard L.	Rt. 4, Missoula 59801	93	Missoula	Republican
Ellison, Orval S.	West Boulder Rt., McLeod 59052	73	Park	Republican
Fabrega, W. Jay	2207 Beech Dr., Great Falls 59401	44	Cascade	Republican
Fagg, Harrison G.	1414 Mystic Dr., Billings 59102	63	Yellowstone	Republican
Federico, Roberto M.	313 S. 32nd, Billings 59101	61	Yellowstone	Democrat
Finley, Bob	221 Springcreek Dr., Kalispell 59901	19	Flathead	Democrat
Fishbaugh, Fred	Carter 59420	10	Chouteau	Democrat
Fleming, James F., Jr.	Box 116, Pablo 59855	25	Lake	Democrat
Gerke, Harold E.	202 Mtn. View, Billings 59101	62	Yellowstone	Democrat
Gilligan, Peter J., Jr.	3330 13th Ave. S., Great Falls 59405	38	Cascade	Democrat
Gould, R. Budd	2121 35th Ave., Missoula 59801	98	Missoula	Republican
Gunderson, Jack	Power 59468	35	Cascade	Democrat
Guthrie A. B.	311 Yellowstone Ave., Billings 59102	66	Yellowstone	Republican
Gwynn, William G.	Box 645, Eureka 59917	20	Lincoln	Democrat
Hageman, Alvin	Stillwater Co., RR, Broadview 59015	72	Stillwater	Democrat
Hager, Tom	1540 Elaine St., Billings 59101	60	Yellowstone	Republican
Halvorson, Ora J.	244 Woodland Ave., Kalispell 59901	16	Flathead	Democrat
Harper, Robert J. "Bob"	68 Missoula Ave., Butte 59701	88	Silver Bow	Democrat
Helmbrecht, Steven N.	Box 630, Havre 59501	8	Hill	Democrat
Herlevi, Martha S.	Box 974, Red Lodge 59068	71	Carbon	Democrat
Holmes, Polly	1620 Ave. F., Billings 59102	67	Yellowstone	Democrat
Hubing, Lee	Terry 59349	52	Prairie	Republican
Huennekens, Herb	3216 Rimrock Rd., Billings 59102	68	Yellowstone	Democrat
Jacobsen, Glenn E.	Reserve 59258	1	Sheridan	Democrat
Johnson, Duane	224 Pattee Creek Dr., Missoula 59801	97	Missoula	Democrat
Johnston, George R.	504 Third St., S.E., Cut Bank 59427	13	Glacier	Democrat
Kanduch, Joe F., Sr.	Barker Creek, Anaconda 59711	89	Deer Lodge	Democrat
Kelly, Robert F.	1737 Florence, Butte 59701	86	Silver Bow	Democrat
Kemmis, Daniel	3618 S. Third West, Missoula 59801	100	Missoula	Democrat
Kendall, Orin P.	Box 563, Thompson Falls 59873	23	Sanders	Democrat

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	POLITICS
Kimble, Gary Niles	640 S. Sixth E., Missoula 59801	94	Missoula	Democrat
Kropp, Paul K.	Box 520, Malta 59538	5	Phillips	Republican
Kummerfeldt, Ernest L.	Nashua 59248	4	Valley	Democrat
Kvaalen, Oscar S.	Lambert 59243	53	Richland	Republican
Lester, Dennis A.	1412 Fourth Ave. S., Great Falls 59405	37	Cascade	Democrat
Lien, Edward	SR 231, Box A33, Wolf Point 59201	49	McCone	Democrat
Lockrem, Lloyd C., Jr.	3109 Edmond St., Billings 59102	64	Yellowstone	Republican
Lory, Earl C.	Rt. 5, Miller Crk. Rd., Missoula 59801	99	Missoula	Republican
Luebeck, Al	2710 Amherst Ave., Butte 59701	83	Silver Bow	Democrat
Lund, Art	Box 806, Scobey 59263	2	Daniels	Republican
Lynch, John "J.D."	527 W. Mercury, Butte 59701	87	Silver Bow	Democrat
McFadden, Duane P. "Mac"	1804 4th Ave. N., Great Falls 59401	39	Cascade	Democrat
McKittrick, Pat.	636 Carol Ave., Great Falls 59405	42	Cascade	Democrat
Magone, Joseph M.	Rt. 1, Box 5, Superior 59872	24	Mineral	Democrat
Manuel, Rex	Fairfield 59436	11	Teton	Democrat
Marks, Robert L. (Bob)	Clancy 59634	80	Jefferson	Republican
Meloy, Peter M.	812 N. Ewing, Helena 59601	29	Lewis & Clark	Democrat
Menahan, William (Red)	1304 W. Fifth St., Anaconda 59711	90	Deer Lodge	Democrat
Mercer, Wallace W. "Wally"	1914 Patricia Lane, Billings 59102	65	Yellowstone	Republican
Moore, Jack K.	1200 32nd St. S. #85, Gt. Falls 59405	41	Cascade	Republican
Moore, James	501 Sylvan, Kalispell 59901	18	Flathead	Democrat
Mular, James T.	3015 Busch, Butte 59701	85	Silver Bow	Democrat
Murphy, John	Box 40, Stanford 59479	47	Judith Basin	Democrat
O'Connell, Helen G.	703 4th Ave. SW, Great Falls 59404	34	Cascade	Democrat
Palmer, Bob	711 W. Spruce, Missoula 59801	96	Missoula	Democrat
Quilici, Joe	3040 Kossuth, Butte 59701	84	Silver Bow	Democrat
Rasmussen, A. T. "Tom"	1300 North Montana, Helena 59601	31	Lewis & Clark	Republican
Richards, Paul T.	1002 Wilder Ave., Helena 59601	32	Lewis & Clark	Democrat
Robbins, Hershel M.	915 1st St. E., Roundup 59072	46	Musselshell	Democrat
Schye, Elmer	Box 504, Wh. Sulphur Springs 59645	45	Meagher	Republican
Scully, John P.	P. O. Box 1172, Bozeman 59715	76	Gallatin	Democrat
Seifert, Carl A.	Rt. 1, Box 45B Polson 59860	26	Lake	Republican
Shelden, Arthur H.	Rt. 1, Box 1650, Libby 59923	22	Lincoln	Democrat
Sivertsen, Robert	P. O. Box 531, Havre 59501	7	Hill	Republican
Sloan, James A.	421 2nd Ave. W., Kalispell 59901	17	Flathead	Democrat
Smith, Carl M.	Olive 59343	57	Powder River	Republican
South, Carroll V.	506 Mississippi Ave., Miles City 59301	51	Custer	Democrat
Staigmiller, John B.	P. O. Box 422, Cascade 59421	33	Cascade	Democrat
Stoltz, Gail M.	Valier 59486	14	Pondera	Democrat
Teague, Wes	4314 Fenton Ave., S.W., Billings 59101	69	Yellowstone	Democrat
Thomas, Bill	704 52 St. S., Great Falls 59405	40	Cascade	Democrat
Travis, Geraldine W.	5413 6th Ave. S., Great Falls 59405	43	Cascade	Democrat
Tropila, Joe	209 Second St., NW. Great Falls 59404	36	Cascade	Democrat
Underdal, Melvin	Box 605, Shelby 59474	12	Toole	Republican
Vincent, John C.	908 S. Tracy, Bozeman 59715	78	Gallatin	Democrat
Williams, J. Melvin	P. O. Box 245, Laurel 59044	70	Yellowstone	Democrat
Wolfe, Sam	Rt. 1, Box 50, Stevensville 59870	92	Ravalli	Democrat
Wood, L. E. (Gene)	719 N. Meade Ave., Glendive 59330	55	Dawson	Republican
Wyrick, Harold A.	Route 3, Baker 59313	56	Fallon	Republican
Yardley, Dan	P. O. Box 482, Livingston 59047	74	Park	Democrat

Compiled and Published from the official files of Frank Murray, Secretary of State, Helena, Montana.

HOUSE STANDING COMMITTEES

Agriculture, Livestock and Irrigation

Fleming, James F., Chairman — D
Murphy, John, Vice Chairman — D
Bengtson, Esther G. — D
Brand, Joe — D
Conroy, Thomas R. — D
Ellerd, Robert A. — R
Gunderson, Jack — D
Hageman, Alvin — D
Herlevi, Martha S. — D
Hubing, Lee — R
Kummerfeldt, Ernest I. — D
Smith, Carl — R
Staigmiller, John B. — D
Underdal, Melvin — R

Appropriations

Bardanouve, Francis, Chairman — D
Gerke, Harold E., Vice Chairman — D
Ellis, Howard L. — R
Fishbaugh, Fred — D
Jacobsen, Glenn E. — D
Kvaalen, Oscar S. — R
Lund, Art — R
Lynch, John D. — D
Manuel, Rex — D
Marks, Robert L. — R
Mercer, Wallace W. — R
Moore, Jack — R
Robbins, Hershel M. — D
South, Carroll V. — D
Thomas, Bill — D
Wolfe, Sam — D
Wood, L. E. — R

Long Range Building Subcommittee

South, Carroll V. — D
Wolfe, Sam — D
Kvaalen, Oscar S. — R
Lund, Art — R

Bills and Journal

Quilici, Joe, Chairman — D
Johnston, George R., Vice Chairman — D
Anderson, John H. Jr. — R
Barrett, Fred O. — D
Holmes, Polly — D

Business and Industry

Sheldon, Arthur H., Chairman — D
Harper, Robert J., Vice Chairman — D
Aageson, David — R
Bradley, Dorothy — D
Casey, Dennis D. — R
Fabrega, W. Jay — R
Fagg, Harrison G. — R
Quilici, Joe — D
Richards, Paul T. — D
Sloan, James A. — D
Tropila, Joe — D
Vincent, John C. — D
Williams, J. Melvin — D
Wolfe, Sam — D
Wood, L. E. — R

Education

Gunderson, Jack, Chairman — D
Stoltz, Gail M., Vice Chairman — D
Barrett, Fred O. — R
Casey, Dennis D. — R
Dussault, Ann Mary — D
Federico, Roberto M. — D
Gilligan, Peter J., Jr. — D
Guthrie, A. B. — R
Holmes, Polly — D
Kvaalen, Oscar S. — R
Lory, Earl C. — R
Luebeck, Al — D
Menahan, William — D
Scully, John P. — D
Travis, Geraldine W. — D

Fish and Game

Staigmiller, John B., Chairman — D
Manuel, Rex, Vice Chairman — D
Asher, William E. — R
Baeth, Russell — D
Conroy, Thomas R. — D
Ellison, Orval S. — R
Gwynn, William G. — D
Johnston, George R. — D
Lien, Edward — D
Seifert, Carl A. — R
Wyrick, Harold A. — R

Highways and Transportation

Baeth, William R., Chairman — D
Jacobsen, Glenn E., Vice Chairman — D
Baeth, Russell — D
Finley, Bob — D
Fleming, James F., Jr. — D
Gould, R. Budd — R
Helmbrecht, Steven N. — D
Kanduch, Joe F., Sr. — D
Kelly, Robert F. — D
Kendall, Orin P. — D
Kropp, Paul K. — R
Mular, James T. — D
Schye, Elmer — R
Smith, Carl M. — R
Tropila, Joe — D
Underdal, Melvin — R

Judiciary

Huennekens, Herb, Chairman — D
Moore, James, Vice Chairman — D
Anderson, C. R. — R
Baeth, William R. — D
Day, William M. — D
Hager, Tom — R
Halvorson, Ora J. — D
Kimble, Gary N. — D
Lester, Dennis A. — D
Lory, Earl C. — R
Meloy, Peter M. — D
Rasmussen, A. T. — R
Scully, John P. — D
Seifert, Carl A. — R
Vincent, John — D
Yardley, Dan — D

Legislative Administration

Lynch, John D., Chairman — D
Stoltz, Gail M., Vice Chairman — D
Anderson, C. R. — R
Ellerd, Robert A. — R
Gunderson, Jack — D
Helmbrecht, Steven N. — D
Hubing, Lee — R

Labor and Employment Relations

Kimble, Gary N., Chairman — D
Federico, Roberto, Vice Chairman — D
Babcock, Betty L. — R
Baeth, William, R. — D
Dassinger, E. N. — D
Ellerd, Robert A. — R
Ellis, Howard L. — R
Gilligan, Peter J., Jr. — D
Guthrie, A. B. — R
Johnson, Duane — D
Kelly, Robert F. — D
Magone, Joseph M. — D
McFadden, Duane P. — D
Sivertsen, Robert — R
Travis, Geraldine W. — D

Local Government

Gerke, Harold, Chairman — D
Kendall, Orin P., Vice Chairman — D
Asher, William E. — R
Bertelsen, Verner L. — R
Gwynn, William G. — D
Kummerfeldt, Ernest L. — D
Magone, Joseph M. — D
Marks, Robert L. — R
O'Connell, Helen G. — D
Palmer, Bob — D
Robbins, Hershel M. — D
Sivertsen, Robert — R
Sloan, James A. — D
South, Carroll V. — D
Wyrick, Harold A. — R

Natural Resources

Bradley, Dorothy M., Chairman — D
Fishbaugh, Fred, Vice Chairman — D
Anderson, John — R
Barrett, Fred O. — R
Day, William — D
Ellison, Orval S. — R
Kemmis, Daniel — D
Huennekens, Herb — D
Luebeck, Al — D
Meloy, Peter M. — D
Moore, Jack — R
Moore, Jim — D
Quilici, Joe — D
Richards, Paul T. — D
Schye, Elmer — R
Shelden, Arthur — D
Stoltz, Gail M. — D

Public Health, Welfare and Safety

Menahan, William, Chairman — D
Holmes, Polly, Vice Chairman — D
Anderson, C. R. — R
Babcock, Betty L. — R
Dussault, Ann Mary — D
Fagg, Harrison G. — R
Finley, Bob — D
Gould, R. Budd — R
Harper, Robert J. — D
Herlevi, Martha S. — D
Lester, Dennis A. — D
Lynch, John D. — D
McFadden, Duane P. — D
Murphy, John — D
Palmer, Bob — D
Rasmussen, A. T. — R

Rules

Driscoll, John, Chairman — D
McKittrick, Pat, Vice Chairman — D
Bardanouve, Francis — D
Kvaalen, Oscar — R
Lockrem, Lloyd — R
Marks, Robert — R
Meloy, Peter M. — D
Mercer, Wallace — R

State Administration

Brand, Joe, Chairman — D
Hageman, Alvin, Vice Chairman — D
Bardanouve, Francis — D
Helmbrecht, Steven — D
Hubing, Lee — R
Johnston, George R. — D
Kanduch, Joe F. — D
Kropp, Paul — R
Lien, Edward — D
Lund, Art — R
Mercer, Wallace — R
Mular, James T. — D
O'Connell, Helen G. — D
Seifert, Carl — R
Teague, Wes — D

Taxation

Yardley, Dan, Chairman — D
Halvorson, Ora, Vice Chairman — D
Aageson, David — R
Anderson, John — R
Bengtson, Esther — D
Dassinger, E. N. — D
Fabrega, W. Jay — R
Fagg, Harrison — R
Hager, Tom — R
Johnson, Duane — D
Kemmis, Daniel — D
Lien, Edward — D
Teague, Wes — D
Thomas, Bill — D
Williams, J. Melvin — D

JOINT LEGISLATIVE COMMITTEES

ADMINISTRATIVE CODE COMMITTEE

Senate

Lynch, Neil J.—Chairman
—D
Seibel, Ann—D
Roskie, George F.—R
Turnage, Jean A.—R

House

Scully, John P.—Vice
Chairman—D
Moore, James—D
Barrett, Fred O.—R
Lory, Earl C.—R

CONSUMER COUNCIL

Senate

Smith, Ed B.—Vice
Chairman—R
Towe, Thomas E.—D

House

Quilici, Joe—Chairman—D
Casey, Dennis D.—R

ENVIRONMENTAL QUALITY COUNCIL

Senate

Murphy, Terry—D
Warden, Margaret S.—D
Aber, L.M. (Larry)—R
Brown, Robert J. (Bob)—R

House

Day, William M. "Willie"—D
Kimble, Gary Niles—D
Hager, Tom—R
Rasmussen, A.T. "Tom"—R

LEGISLATIVE AUDIT

Senate

Himsl, Matt—Chairman—R
Greely, Mike—D
Thiessen, Cornie R.—D
Turnage, Jean A.—R

House

Gerke, Harold E.—Vice
Chairman—D
Driscoll, John Brian—D
Ellerd, Robert A.—R
Lockrem, Lloyd C., Jr.—R

LEGISLATIVE COUNCIL

Senate

Lynch, Neil J.—Vice
Chairman—D
Graham, Carroll—D
Drake, Glen L.—R
Hazelbaker, Frank W.—R

House

Marks, Robert L. (Bob)
—Chairman—R
Bardanouve, Francis—D
McKittrick, Pat—D
Kvaalen, Oscar S.—R

LEGISLATIVE FINANCE COMMITTEE

Senate

Mathers, William L.—Vice
Chairman—R
Norman, Bill—D
Regan, Pat—D
Romney, Miles—D
Smith, Ed B.—R
Stephens, Stan—R

House

Bardanouve, Francis—
Chairman—D
Kendall, Orin P.—D
Jacobsen, Glenn E.—D
Aageson, David—R
Lund, Art—R
Moore, Jack K.—R

INTERIM SELECT COMMITTEE ON STATE EMPLOYEE PAY PLAN

Senate

Roberts, Joe R.—Chairman
—D
Smith, Richard G.—D
Etchart, Mark—R
Himsl, Matt—R

House

Anderson, John H., Jr.—Vice
Chairman—R
Finley, Bob—D
Magone, Joseph M.—D
Fabrega, W. Jay—R

WESTERN STATES FOREST INDUSTRY TASK FORCE

Senate

Roberts, Joe R.—D
Brown, Robert J. (Bob)—R

House

Gwynn, William G.—D
Johnson, Duane—D

HOUSE JOURNAL

OF THE

Forty-fourth Legislature

OF THE

State of Montana

FIRST LEGISLATIVE DAY

Helena, Montana
January 6, 1975

House Chambers
Capitol Building

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the Forty-fourth Legislature of the State of Montana, was called to order by the Honorable Frank Murray, Secretary of State of the State of Montana, who extended greetings to the members on behalf of the State of Montana.

The Secretary of State then announced the following temporary appointments: Father Robert O'Donnell, of Helena, Montana, Temporary Chaplain; Robert Stephens, of Dutton, Montana, Temporary Sergeant-at-Arms; Ed Smith, of Helena, Montana, Temporary Chief Clerk; and Linda Barrett, of Helena, Montana, Temporary Journal Clerk.

Posting of the Colors by Lieutenant Colonel Anderson and staff from the Montana National Guard, and the Pledge of Allegiance to the Flag by the members followed.

Invocation was given by Father Robert O'Donnell.

The Chief Clerk called the roll by districts as follows: Glenn E. Jacobsen, District No. 1; Art Lund, District No. 2; Dennis D. Casey, District No. 3; Ernest L. Kummerfeldt, District No. 4; Paul K. Kropp, District No. 5; Francis Bardanouve, District No. 6; Robert Sivertsen, District No. 7; Steven N. Helmbrecht, District No. 8; David Aageson, District No. 9; Fred Fishbaugh, District No. 10; Rex Manuel, District No. 11; Melvin Underdal, District No. 12; George R. Johnston, District No. 13; Gail M. Stoltz, District No. 14; Russell Baeth, District No. 15; Ora J. Halvorson, District No. 16; James A. Sloan, District No. 17; James Moore, District No. 18; Bob Finley, District No. 19; William G. Gwynn, District No. 20; William R. (Bill) Baeth, District No. 21; Arthur H. Sheldon, District No. 22; Orin P. Kendall, District No. 23; Joseph M. Magone, District No. 24; James F. Fleming, Jr., District No. 25; Carl A. Seifert, District No. 26; Verner L. Bertelsen, District No. 27; Joe Brand, District No. 28; Peter M. Meloy, District No. 29; Betty L. Babcock, District No. 30; A. T. "Tom" Rasmussen, District No. 31; Paul T. Richards, District No. 32; John B. Staigmiller, District No. 33; Helen G. O'Connell, District No. 34; Jack Gunderson, District No. 35; Joe Tropila, District No. 36; Dennis A. Lester,

District No. 37; Peter J. Gilligan, Jr., District No. 38; Duane P. "Mac" McFadden, District No. 39; Bill Thomas, District No. 40; Jack K. Moore, District No. 41; Pat McKittrick, District No. 42; Geraldine W. Travis, District No. 43; W. Jay Fabrega, District No. 44; Elmer Schye, District No. 45; Hershel M. Robbins, District No. 46; John Murphy, District No. 47; Fred O. Barrett, District No. 48; Edward Lien, District No. 49; E. N. Dassinger, District No. 50; Carroll V. South, District No. 51; Lee Hubing, District No. 52; Oscar S. Kvaalen, District No. 53; William M. (Willie) Day, District No. 54; L. E. (Gene) Wood, District No. 55; Harold A. Wyrick, District No. 56; Carl M. Smith, District No. 57; Thomas R. Conroy, District No. 58; Esther G. Bengtson, District No. 59; Tom Hager, District No. 60; Roberto M. Federico, District No. 61; Harold E. Gerke, District No. 62; Harrison G. Fagg, District No. 63; Lloyd C. Lockrem, Jr., District No. 64; Wallace W. "Wally" Mercer, District No. 65; A. B. Guthrie, District No. 66; Polly Holmes, District No. 67; Herb Huennekens, District No. 68; Wes Teague, District No. 69; J. Melvin Williams, District No. 70; Martha S. Herlevi, District No. 71; Alvin Hageman, District No. 72; Orval S. Ellison, District No. 73; Dan Yardley, District No. 74; Robert A. Ellerd, District No. 75; John P. Scully, District No. 76; Dorothy Bradley, District No. 77; John C. Vincent, District No. 78; Wm. E. "Bill" Asher, District No. 79; Robert L. (Bob) Marks, District No. 80; John H. Anderson, Jr., District No. 81; C. R. Anderson, District No. 82; Al Luebeck, District No. 83; Joe Quilici, District No. 84; James T. Mular, District No. 85; Robert F. Kelly, District No. 86; John "J.D." Lynch, District No. 87; Robert J. "Bob" Harper, District No. 88; Joe F. Kanduch, Sr., District No. 89; William (Red) Menahan, District No. 90; John Brian Driscoll, District No. 91; Sam Wolfe, District No. 92; Howard L. Ellis, District No. 93; Gary Niles Kimble, District No. 94; Ann Mary Dussault, District No. 95; Bob Palmer, District No. 96; Duane Johnson, District No. 97; R. Budd Gould, District No. 98; Earl C. Lory, District No. 99; Daniel Kemmis, District No. 100.

IN WITNESS WHEREOF, I have
hereunto set my hand and affixed
the Great Seal of the State of
Montana, at Helena, the Capitol
this 6th day of January A. D. 1975.

FRANK MURRAY
Secretary of State

Secretary of State Frank Murray introduced the Honorable John C. Harrison, Associate Justice of the Montana Supreme Court, who administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as representative with fidelity. SO HELP ME GOD."

Thereupon, having presented their certificates of election, the House members subscribed the foregoing oath.

The Secretary of State called for nominations for Speaker of the House of Representatives. Driscoll, District 91, nominated Pat McKittrick, District 42. Kvaalen, District 53, nominated Lockrem, District 64. Nominations were closed and the following votes were cast:

For McKittrick: Baeth, B., Baeth, R., Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen,

Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lein, Lockrem, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jim Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Sheldon, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley. Total 67.

For Lockrem: Aageson, Anderson, C. R., Anderson, John, Asher, Babcock, Barrett, Bertelsen, Casey, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Guthrie, Hager, Hubing, Kropp, Kvaalen, Lory, Lund, McKittrick, Marks, Mercer, Moore, Jack, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 33.

Driscoll and Lockrem escorted the newly-elected Speaker, Pat McKittrick, to the rostrum, where he was formally introduced by the Secretary of State, and presented with the Speaker's gavel. At this time, the Speaker delivered the following address:

I accept the position of Speaker of the House of Representatives, recognizing the responsibilities I now have and appreciating the important tasks we have before us. The time of this Legislative Assembly has arrived. The time to begin is now.

To some, in this Legislative Assembly, the time is one of fresh promises that hopefully will become a reality.

To some, the time is one of fears brought about because of economic quandries and other uncertainties.

To some, coming into this Assembly, the time is one of anticipating the unexpected and an apprehension of what the times have in store.

To some, the time is one of excitement that a new phase of government is being forged.

To some, the time is to be one to set the world afire;

While to others, the time is to be one of slow motion.

But to all of us here, the time is one of responsibility and judgment. Our deliberations are to be based on reason and logic and justice.

Our decisions, while always looking to the horizon afar, must also appreciate the wilderness and the forest below.

And while we enjoy the excitement of debate let us not forget the implications of the words we speak, nor should we forget that words alone, without a commitment to a philosophy of government, are meaningless.

And in our debate let us conduct ourselves from a posture of charity, not enmity; of good will rather than bitterness.

Let us be sensitive to Edmund Burke's words that "Bad laws are the worst sort of tyranny" and let us hopefully avoid the pitfalls that such a warning brings.

The time then, is for us to use our energies, our imagination, our talents, our passions, for a better Montana.

The time then is for us to practice politics in its truest and noblest meaning:

1. The people of Montana expect it.
2. The people of Montana deserve it.

3. And we are capable of delivering it.

Finally, let us hope that when the proceedings of this Legislative Assembly have turned yellow with age, they will have recorded that we were not only smart for the day; but that we had the wisdom and grace for all time.

MOTIONS

Meloy nominated the following Officers of the House of Representatives for the Forty-fourth Legislative Assembly: Speaker Pro Tem, Francis Bardanoue; Majority Floor Leader, John Driscoll; Chief Clerk, Ed Smith; Sergeant-at-Arms, Robert Stephens; Chaplain, Father Robert O'Donnell.

Lockrem moved that a unanimous ballot be cast for the above nominees.

Motion carried.

Driscoll moved that the temporary rules of the House be the joint rules of the House and Senate of the Forty-third Legislature, except Chapter 6, Subsection 6.

Motion carried.

Driscoll moved that the temporary rules of the House include the House rules of the Forty-third Legislature except Chapter 7, subsection 1 should be amended to rename the Committee on Finance and Claims, the Committee on Appropriations, and that the Committee on Constitutions, Elections and Federal Relations be deleted.

Motion carried.

Driscoll moved that the Speaker appoint a Committee of five members to notify His Excellency, the Governor, that the House is now organized and ready to receive any messages he wishes to deliver and also to learn the time set for his message.

Motion carried.

The Speaker appointed Kendall, Stoltz, Vincent, Ellerd and Kvaalen.

Driscoll moved that the Speaker appoint a Committee of five members to inform the Honorable Senate that the House is now organized and ready to do business and that the House wishes them Godspeed.

Motion carried.

The speaker appointed Gerke, Quilici, Herlevi, Smith and Wyrick.

Motion was made by Driscoll to appoint a committee of five to notify the Supreme Court that the House is now organized and ready to do business.

Motion carried.

The Speaker appointed Huennekens, Brand, Robbins, Mercer and Babcock.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Flynn, Mehrens, and McCallum was admitted and advised the House that the Senate was organized and ready for business.

The committee appointed to notify the Senate that the House was ready for business reported that it had done so. They were thanked for their faithful performance and discharged.

The committee appointed to notify the Supreme Court that the House was ready for business reported that it had done so. They were thanked for their faithful performance and discharged.

The committee appointed to notify the Governor that the House was ready for business reported that it had done so. The Governor sent the message that his doors would always be open to any legislators who wished to see him and wished them well. The committee was thanked for their faithful performance and discharged.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 2, introduced by Bardanoue: A bill for an act entitled: "An act to amend Section 43-310, R.C.M. 1947, to delete the requirement that legislators be paid weekly." Referred to Committee on Appropriations.

House Bill No. 3, introduced by Quilici: A bill for an act entitled: "An act requiring an insurer who cancels or refuses to renew a home fire insurance policy to give the insured a statement of the reason therefor; amending Sections 40-4415 and 40-4416, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 4, introduced by Bradley: A bill for an act entitled: "An act amending Sections 66-402 and 66-818, R.C.M. 1947, to further define the practice of barbering and cosmetology in nonsex-discriminatory terms." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 5, introduced by Stoltz, Yardley: A bill for an act entitled: "An act to change the laws relating to residence and domicile in order to remove sexual discrimination; amending Sections 23-3022, 75-8703, 75-8704 and 83-303, R.C.M. 1947; and repealing Section 36-102, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 6, introduced by Stoltz, Yardley: A bill for an act entitled: "An act changing the laws relating to Homesteads in order to remove sexual discrimination from such laws; amending Sections 33-102, 33-121, 33-125, 33-126, and 33-127, R.C.M. 1947; and repealing Section 33-103, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 7, introduced by Yardley, Stoltz: A bill for an act entitled: "An act amending Sections 94-5-503 and 94-5-603, R.C.M. 1947, to remove certain sexual distinctions in the criminal law." Referred to Committee on Judiciary.

House Bill No. 8, introduced by Stoltz, Yardley: A bill for an act entitled: "An act to be known as the 'Montana Code of Fair Practices' relating to the nonparticipation of the government of the State of Montana in discrimination on the basis of race, color, religious creed, sex, age, national origin, or ancestry." Referred to Committee on Judiciary.

House Bill No. 9, introduced by Stoltz, Bradley: A bill for an act entitled: "An act to provide maternity leave to public and private employees." Referred to Committee on Labor and Employment Relations.

House Bill No. 10, introduced by Yardley, Stoltz: A bill for an act entitled: "An act to be known as the 'Uniform Parentage Act' relating to matters concerning the parent-child relationship, its establishment and its termination; amending Sections 61-105 and 61-205, R.C.M. 1947; and

repealing Sections 61-103, 61-108, 93-2901-1 through 93-2901-11, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 11, introduced by Lynch: A bill for an act entitled: "An act to amend Sections 71-1003, 71-1004, and 71-1008, R.C.M. 1947, to increase payments for silicosis from one hundred seventy-five dollars (\$175) per month to two hundred twenty-five dollars (\$225) per month." Referred to Committee on Labor and Employment Relations.

House Bill No. 12, introduced by Gerke: A bill for an act entitled: "An act providing for appointment of members to the Board of Health and Environmental Sciences, and setting their qualifications; providing that there must be one (1) dentist member; amending Section 82A-605, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 13, introduced by Bardanouve: A bill for an act entitled: "An act to retain the responsibility for preparing fiscal notes in the Office of the Budget Director by deleting certain references to the Department of Administration; amending Sections 43-1002, 43-1003, and 43-1006, R.C.M. 1947; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 14, introduced by Lockrem, Jack Moore, Fabrega, Babcock, Rasmussen, Sivertsen, Ellison, Lund, Marks, Fagg, Barrett, Casey, Kropp, Ellerd, Aageson, J. Anderson, Hager, Asher, Kvaalen, Wyrick, Ellis, Lory, Gould, Underdal, Smith, Wood, Mercer, Guthrie, Seifert: A bill for an act entitled: "An act to amend Section 84-4908, R.C.M. 1947, to provide for a standard deduction of fifteen percent (15%) in computing net income, and to increase the maximum standard deduction for a single return to one thousand dollars (\$1000); and to two thousand dollars (\$2000) for a joint return." Referred to Committee on Taxation.

House Bill No. 15, introduced by Lockrem, Jack Moore, Marks, Babcock, Fabrega, Rasmussen, Sivertsen, Ellison, Lund, Fagg, Barrett, Casey, Kropp, Ellerd, Aageson, J. Anderson, Hager, Ellis, Kvaalen, Asher, Wyrick, Lory, Smith, Underdal, Wood, Gould, Mercer, Guthrie, Seifert: A bill for an act entitled: "An act to amend Section 84-4910, R.C.M. 1947, to provide for a personal exemption of seven hundred fifty dollars (\$750) in computing taxable income." Referred to Committee on Taxation.

House Bill No. 16, introduced by Lockrem, Fabrega, Mercer, Jack Moore, Babcock, Rasmussen, Sivertsen, Ellison, Lund, Casey, Marks, Fagg, Barrett, Kropp, Ellerd, Aageson, J. Anderson, Hager, Asher, Ellis, Kvaalen, Wyrick, Lory, Gould, Underdal, Smith, Wood, Guthrie, Seifert: A bill for an act entitled: "An act to repeal the income tax surcharge, Section 84-4902.1, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 17, introduced by Murphy: A bill for an act entitled: "An act changing the primary election to the second Tuesday in September by amending Section 23-3301, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 18, introduced by Yardley: A bill for an act entitled: "An act amending Section 84-202, R.C.M. 1947, to exempt from taxation a parsonage associated with a place of worship; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 19, introduced by Bradley: A bill for an act entitled: "An act to amend Section 93-1503, R.C.M. 1947, to provide that no juror shall be asked to serve more than three (3) months in any term except in certain instances." Referred to Committee on Judiciary.

House Bill No. 20, introduced by Gerke: A bill for an act entitled: "An act to amend Section 82A-1602.7, R.C.M. 1947, to increase membership of the Board of Chiropractors, and to redefine chiropractic." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 21, introduced by Vincent: A bill for an act entitled: "An act to amend Section 74-608, R.C.M. 1947, reducing to one percent (1%) the allowable monthly interest charge on retail charge accounts." Referred to Committee on Business and Industry.

House Bill No. 22, introduced by W. Baeth: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Workmen's Compensation Act; amending Sections 92-111, 92-117, 92-118, 92-119, 92-120, 92-206, 92-426, 92-429, 92-432, 92-502, 92-506, 92-507, 92-508, 92-607, 92-608, 92-609, 92-614, 92-707, 92-715, 92-804, 92-806, 92-808, 92-809, 92-812, 92-813, 92-814, 92-814.1, 92-815, 92-816, 92-817, 92-818, 92-819, 92-820, 92-821, 92-822, 92-823, 92-824, 92-824.1, 92-825, 92-826, 92-827, 92-828, 92-829, 92-830, 92-831, 92-832, 92-834, 92-835, 92-836, 92-842, 92-903, 92-904, 92-905, 92-906, 92-907, 92-908, 92-1002, 92-1004, 92-1005, 92-1006, 92-1007, 92-1008, 92-1009, 92-1010, 92-1101, 92-1102, 92-1103, 92-1104, 92-1105, 92-1105.1, 92-1108, 92-1110, 92-1112, 92-1113, 92-1114, 92-1115, 92-1117, 92-1118, 92-1119, 92-1120, 92-1122, 92-1123, 92-1401, 92-1402, 92-1406, R.C.M. 1947, and repealing Sections 92-104, 92-105, 92-108 through 92-110, 92-112 through 92-115, 92-414, 92-415, 92-419, 92-420, 92-427, 92-428, 92-430, 92-431, 92-611, 92-612, 92-841, 92-843, 92-1404, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 23, introduced by Conroy: A bill for an act entitled: "An act limiting to five (5) the number of bills a legislator may introduce as prime sponsor." Referred to Committee on Legislative Administration.

House Bill No. 24, introduced by Manuel: A bill for an act entitled: "An act to amend Section 1-821, R.C.M. 1947, to provide compensation for the Joint Airport Commission Board." Referred to Committee on State Administration.

House Bill No. 25, introduced by Manuel: A bill for an act entitled: "An act to amend Section 9-207, R.C.M. 1947, to provide compensation for cemetery trustees." Referred to Committee on Local Government.

House Bill No. 26, introduced by Lory: A bill for an act entitled: "An act to amend Section 25-604, R.C.M. 1947, to delete all percentage limitations on the salary of deputy and assistant county officers, undersheriff and deputy sheriffs." Referred to Committee on Local Government.

House Bill No. 27, introduced by Lester: A bill for an act entitled: "An act to be known as the Revised Motor Vehicle Safety-Responsibility Act providing for motor vehicle liability protection for owners and operators of motor vehicles as a condition of operation of those vehicles upon the highways or property open to use by the public and generally revising the provisions in Title 53, Chapter 4, R.C.M. 1947; amending Section 40-4403, R.C.M. 1947; repealing Sections 53-418 through 53-420, and 53-428 through 53-458, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 28, introduced by Gunderson: A bill for an act entitled: "An act to waive the five (5) year residency and practice requirement for the initial appointment of a licensed Doctor of Osteopathy to the Montana State Board of Medical Examiners; amending Section 82A-1602.15, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Joint Resolution No. 1, introduced by Bradley: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Congress and the President of the United States of America to revise the federal laws relating to aid to dependent children in order to eliminate sexual discrimination in certain provisions. Referred to Committee on Judiciary.

House Joint Resolution No. 2, introduced by Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging all school officials, the Superintendent of Public Instruction, and the Montana High School Association to promote equity between boys' and girls' interscholastic activities. Referred to Committee on State Administration.

MESSAGES FROM THE GOVERNOR

January 6, 1975

The Honorable W. Gordon McOmber
President of the Senate
44th Legislative Assembly
State Capitol
Helena, Montana 59601

The Honorable Pat McKittrick
Speaker of the House
44th Legislative Assembly
State Capitol
Helena, Montana 59601

Gentlemen:

This will notify you of my intention to deliver the State of the State Address at 2:00 p.m. Wednesday, January 8, 1975, in the Chambers of the House of Representatives.

Sincerely,

THOMAS L. JUDGE
Governor

UNFINISHED BUSINESS

The Speaker introduced the following staff members on the rostrum and the Sergeant-at-Arms office: Martha McGee, Helena, Administrative Assistant to Chief Clerk; Betty Thompson Wing, Bozeman, Assistant Journal Clerk; Pat Tyanich, Helena, Bills Clerk; Diann Fradette, Helena, Assistant Bills Clerk; Ed Sheehy, Helena, Reading Clerk; Shaun Devine, Great Falls, Bills Coordinator; Denise Durfee, Miles City, Assistant Bills Coordinator; Steve Carney, Scobey, Assistant Sergeant-at-Arms; and Clyde Neu, Helena, Assistant Sergeant-at-Arms. Pages were introduced as follows: Dave Schuler, Dutton; Martha Rehbein, Lambert; Hal Hanson, Columbia Falls; Steve Elbott, Sidney; Noreen Burris, Hobson; Iola Codenys, Billings; Gail Smith, Ulm, and Julie Billings, Helena.

Driscoll moved that the House recess until 1:45 P.M., January 6, 1975.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

UNFINISHED BUSINESS

The Chief Clerk read the following list of House Standing Committees for the 1975 Legislature;

AGRICULTURE, LIVESTOCK AND IRRIGATION — Fleming, James F., Chairman; Murphy, John, Vice Chairman; Bengtson, Esther G.; Bertelsen, Verner L.; Brand, Joe; Conroy, Thomas R.; Ellerd, Robert A.; Gunderson, Jack; Hageman, Alvin; Herlevi, Martha S.; Hubing, Lee; Kummerfeldt, Ernest L.; Smith, Carl; Staigmiller, John B.; Underdal, Melvin. Room 428 B — Monday, Wednesday — 9:00 a.m.

APPROPRIATIONS — Bardanouve, Francis, Chairman; Gerke, Harold E., Vice Chairman; Ellis, Howard L.; Fishbaugh, Fred; Jacobsen, Glenn E.; Kvaalen, Oscar S.; Lund, Art; Lynch, J. D.; Manuel, Rex; Marks, Robert L.; Mercer, Wallace W. "Wally"; Moore, Jack; Robbins, Hershel M.; South, Carroll V.; Thomas, Bill; Wolfe, Sam; Wood, L. E. (Gene). Room 343 — Daily — 9:00 a.m.

BILLS AND JOURNAL — Quilici, Joe, Chairman; Johnston, George R., Vice Chairman; Anderson, John H., Jr.; Barrett, Fred O.; Holmes, Polly. Room 344

BUSINESS AND INDUSTRY — Shelden, Arthur H., Chairman; Harper, Robert J. "Bob", Vice Chairman; Aageson, David; Bradley, Dorothy; Casey, Dennis D.; Fabrega, W. Jay; Fagg, Harrison G.; Quilici, Joe; Richards, Paul T.; Sloan, James A.; Tropila, Joe; Vincent, John C.; Williams, J. Melvin; Wolfe, Sam; Wood, L. E. (Gene). Room 433 — Monday, Wednesday, Friday — 10:30 a.m.

EDUCATION — Gunderson, Jack, Chairman; Stoltz, Gail M., Vice Chairman; Barrett, Fred O.; Casey, Dennis D.; Dussault, Ann Mary; Federico, Roberto M.; Gilligan, Peter J., Jr.; Guthrie, A. B.; Holmes, Polly; Kvaalen, Oscar S.; Lory, Earl C.; Luebeck, Al; Menahan, William; Scully, John P.; Travis, Geraldine W. Room 430-431 — Tuesday, Thursday, Saturday — 8:00 a.m.

FISH AND GAME — Staigmiller, John B., Chairman; Manuel, Rex, Vice Chairman; Asher, William E.; Baeth, Russell; Conroy, Thomas R.; Ellison, Orval S.; Gwynn, William G.; Johnston, George R.; Seifert, Carl A.; Tropila, Joe; Vincent, John C.; Wyrick, Harold A. Room 430-431 — Monday, Wednesday — 10:30 a.m.

HIGHWAYS AND TRANSPORTATION — Baeth, William R., Chairman; Jacobsen, Glenn E., Vice Chairman; Baeth, Russell; Finley, Bob; Fleming, James F., Jr.; Gould, R. Budd; Helmbrecht, Steven N.; Kanduch, Joe F.; Kelly, Robert F.; Kendall, Orin P.; Kropp, Paul K.; Mular, James T.; Schye, Elmer; Smith, Carl M.; Underdal, Melvin. Room 437 — Tuesday, Thursday, Saturday — 8:00 a.m.

JUDICIARY — Huennekens, Herb, Chairman; Moore, James, Vice Chairman; Anderson, C. R.; Baeth, William R.; Day, William M.; Hager, Tom; Halvorson, Ora J.; Kimble, Gary Niles; Lester, Dennis A.; Lory, Earl C.; Meloy, Peter M.; Rasmussen, A. T.; Scully, John P.; Seifert, Carl A.; Yardley, Dan. Room 436 — Daily — 9:00 a.m.

LABOR AND EMPLOYMENT RELATIONS — Kimble, Gary N., Chairman; Federico, Roberto, Vice Chairman; Babcock, Betty L.; Baeth, William R.; Dassinger, E. N.; Ellerd, Robert A.; Ellis, Howard L.; Gilligan, Peter J., Jr.; Guthrie, A. B.; Johnson, Duane; Kelly, Robert F.; McFadden, Duane P.; Magone, Joseph M.; Sivertsen, Robert; Travis, Geraldine W. Room 428A — Wednesday, Friday — 10:30 a.m.

LEGISLATIVE ADMINISTRATION — Lynch, John D., Chairman; Stoltz, Gail M., Vice Chairman, Anderson, C. R.; Ellerd, Robert A.; Gunderson, Jack.; Helmbrecht, Steven N.; Hubing, Lee; Room 349.

LOCAL GOVERNMENT—Gerke, Harold, Chairman; Kendall, Orin P., Vice Chairman; Asher, William E.; Bertelsen, Verner L.; Gwynn, William G.; Kummerfeldt, Ernest L.; Magone, Joseph M.; Marks, Robert L.; O'Connell, Helen G.; Palmer, Bob; Robbins, Hershel M.; Sivertsen, Robert; Sloan, James A.; South, Carroll V.; Wyrick, Harold A. Room 437 — Monday, Wednesday, Friday—8:00 a.m.

NATURAL RESOURCES — Bradley, Dorothy, Chairman; Fishbaugh, Fred, Vice Chairman; Anderson, John; Barrett, Fred O.; Day, William; Ellison, Orval S.; Huennekens, Herb; Kemmis, Daniel; Luebeck, Al; Meloy, Peter M.; Moore, Jack; Moore, Jim; Quilici, Joe; Richards, Paul T.; Schye, Elmer; Shelden, Arthur; Stoltz, Gail. Room 436 — Tuesday, Thursday, Saturday — 10:30 a.m.

PUBLIC HEALTH, WELFARE AND SAFETY — Menahan, William, Chairman; Holmes, Polly, Vice Chairman; Anderson, C. R.; Babcock, Betty L.; Dussault, Ann Mary; Fagg, Harrison G.; Finley, Bob.; Gould, R. Budd; Harper, Robert J.; Herlevi, Martha S.; Lester, Dennis A.; Lynch, John "J. D."; McFadden, Duane P.; Murphy, John; Palmer, Bob; Rasmussen, A. T. "Tom". Room 428A — Tuesday, Thursday — 10:30 a.m.

RULES — Driscoll, John, Chairman; McKittrick, Pat, Vice Chairman; Bardanouve, Francis; Kvaalen, Oscar; Lockrem, Lloyd; Marks, Robert; Meloy, Peter M.; Mercer, Wallace.

STATE ADMINISTRATION — Brand, Joe, Chairman; Hageman, Alvin, Vice Chairman; Bardanouve, Francis; Helmbrecht, Steven; Hubing, Lee; Johnston, George R.; Kanduch, Joe F.; Kropp, Paul; Lien, Edward, Lund, Art; Mercer, Wallace; Mular, James T.; O'Connell, Helen G.; Seifert, Carl; Teague, Wes. Room 433-434 — Tuesday, Thursday, Saturday — 10:30 a.m.

TAXATION — Yardley, Dan, Chairman; Halvorson, Ora, Vice Chairman; Ageson, David; Anderson, John; Bengtson, Esther, Dassinger, E. N.; Fabrega, W. Jay; Fagg, Harrison; Hager, Tom; Johnson, Duane; Kemmis, Daniel; Lien, Edward; Teague, Wes; Thomas, Bill; Williams, J. Melvin. Room 133 — 8:00 a.m. daily.

Driscoll moved that the House adjourn until 1:00 p.m., January 7, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SECOND LEGISLATIVE DAY

Helena, Montana
January 7, 1975

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the First Legislative Day, find the same to be correct.

QUILICI, Chairman

MOTIONS

Lynch moved to officially name Robert O'Donnell as permanent Chaplain of the House.

Motion carried.

Lynch moved that the following names be added as co-sponsors to House Bill No. 11: Quilici, Helmbrecht, Kimble, Murphy, Gilligan, Mular, Kelly, Menahan, Lien, O'Connell, Harper, Luebeck, Kanduch, Lund, and C. R. Anderson.

Motion carried.

Lynch moved that the following names be added as co-sponsors to House Joint Resolution No. 2: Menahan, Stoltz, Halvorson, Bengtson, Lien, Quilici, Lund and C.R. Anderson.

Motion carried.

Lester moved that the following names be added as co-sponsors to House Bill No. 27: McKittrick and Kelly.

Motion carried.

Gerke moved that the following names be added as co-sponsors to House Bill No. 20: Hubing, Guthrie and Jack Moore.

Motion carried.

Conroy moved that the following names be added as co-sponsors to House Bill No. 23: Lien, Day, Dassinger, Robbins and Manuel.

Motion carried.

Gunderson moved that the following names be added as co-sponsors to House Bill No. 28: Harper, Thomas and Kvaalen.

Motion carried.

Vincent moved that the following names be added as co-sponsors to House Bill No. 21: Harper, Teague, Bardanouve, Stoltz, Gunderson, Luebeck and Driscoll.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 29, introduced by Gerke: A bill for an act entitled: "An act providing for appointment of members to the Board of Health and Environmental Sciences, and setting their qualification; and amending Section 82A-605, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 30, introduced by Meloy, Huennekens: A bill for an act entitled: "An act to clarify and properly compose Section 32-2144.6, R.C.M. 1947, relating to violation of the fifty-five (55) mile an hours speed limit." Referred to Committee on Highways and Transportation.

House Bill No. 31, introduced by Meloy: A bill for an act entitled: "An act to codify the substance of the final plan of the Montana Districting and Apportionment Commission for Montana Congressional and Legislative Districts filed with the Secretary of the State pursuant to Section 43-117, R.C.M. 1947, and to repeal Sections 43-106.6 through 43-106.9, and 43-107, R.C.M. 1947." Referred to Committee on Judiciary.

House Resolution No. 1, introduced by Driscoll, Lockrem: A Resolution of the House of Representatives of the State of Montana to adopt rules to govern its proceedings in addition to the joint rules. Referred to Committee on Rules.

Driscoll moved that the House adjourn until 1:30 p.m., January 8, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
January 8, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Second Legislative Day, find the same to be correct.

QUILICI, Chairman

SPECIAL ORDERS OF THE DAY

A committee from the Senate composed of Graham, Devine and Rosell entered to notify the House that the Senate was ready to convene in Joint Assembly.

Members of the Senate were admitted to the House.

The Legislature being in joint session, Senate President Gordon McOmber, occupying the chair for the joint session, appointed the following committee to notify the Governor that the Senate and House of Representatives had convened in Joint Assembly and were ready to hear his message: Senator Manning, Chairman and Senator Mathers, and Representatives Bardanouve and Smith.

Posting of the Colors by Cadet Christiansen and members of the Montana National Guard.

His Excellency, Thomas L. Judge, was escorted to the rostrum.

Invocation by the Senate Chaplain.

Pledge of Allegiance to the Flag.

After being presented to the members of both Houses by the President of the Senate, the Governor delivered his address:

STATE OF THE STATE MESSAGE

GOVERNOR THOMAS L. JUDGE

FORTY-FOURTH LEGISLATIVE ASSEMBLY

January 8, 1975

Montana, according to the homesteaders who scratched a desperate living off the prairies, was "Next Year Country" - a place where optimism somehow compensated for the realities of a difficult existence.

Last year when I delivered the State of the State Address, the Nation was in the middle of a serious energy crisis. At that time I urged the Legislature to maintain a \$10.8 million contingency reserve as a margin of security against the possible adverse economic effects of the fuel shortage. There were members of the Legislature who were skeptical of this

recommendation and their questions were understandable in consideration of the fact that there was an \$18 million surplus, farm prices were high, the employment situation was favorable, and State tax collections were increasing at an unprecedented rate. Optimistic opinion assumed that the energy crisis could be endured, inflation could be controlled, and economic vitality could be restored. These were false hopes, however, and, as has happened so many times in the past, "Next Year" brought more serious problems.

The most apparent manifestations of the energy crisis have temporarily disappeared, but the exorbitant price we are forced to pay for oil and other energy sources, in combination with other conditions, has insidiously weakened the national economy. We are in an economic vise, pressured by inflation on one side and recession on the other and every day the screw is turning tighter. Economic theory has maintained that it was not possible to have a combination of rising prices and declining growth. This improbable contradiction has occurred, however, and it has become one of the most dangerous threats to the Nation's economic system since the Depression.

There are no easy answers or quick solutions to this dilemma.

The accepted methods of countering a recession aggravate inflationary conditions.

The measures that have been applied by the government to control inflation have contributed to recession.

And until carefully considered and positive Federal action provides the direction necessary to stabilize the economy, we are caught in the middle — trapped between the irresistible force of inflation and the immovable object of recession. Or as we say in Montana, "Caught between a rock and a hard place."

Today, our State is being subjected to some of the most serious economic and social problems in its recent history. Prices received by our ranchers for their livestock have declined by as much as 50 percent during the year. Wheat prices have fallen during the same period. There have been layoffs in the lumber and mining industries. And while prices and demand for Montana products have declined, production costs have increased dramatically.

At the present time, State tax collections continue to increase, but these are paper gains, primarily attributable to inflation. If unemployment rates continue to increase in Montana, it is conceivable that the costs of government, increased by inflation, will eventually exceed tax collections.

Anybody who works for wages, operates a business, or maintains a home is painfully aware of the fact that income during the past few years simply has not kept pace with rising costs. And when an individual or family begins to realize the consequences of rising costs on static income, hard decisions are made to eliminate non-essential expenditures. State government is in this situation. And it is my recommendation to this Legislature that we apply this principle of common sense and economic realism to our decisions during this session.

The most difficult and important responsibility of the Governor is to evaluate the needs of the State and present to the Legislature a budget based on realistic funding priorities.

A balance must be established in these recommendations between what is wanted and what is possible. There are many responsibilities that state

government could assume but funding limitations dictate intensive evaluation of programs to assure that the people of Montana receive an appropriate return from their tax dollars.

The budget I am presenting to this Legislature is based on this premise.

It is committed to dealing effectively with the critical and long ignored problems of the State.

It recognizes revenue limitations and economic conditions in Montana.

And it is intended to provide effective government programs while at the same time reducing the tax obligations of our people.

This is a "Next Year Budget" — a program to respond to immediate needs without jeopardizing the financial position of the state during a very difficult and uncertain period.

There are very many serious problems in Montana, but none are as important as those that exist at the State institutions, particularly the Boulder River School and Hospital and the Warm Springs State Hospital.

The fundamental problems at the institutions — low wages, inadequate staffing, high turnover, and substandard patient and resident care facilities — have produced a situation where the state of Montana is merely "warehousing" unfortunate people at Boulder and Warm Springs.

The Montana University System, suffering from under-funding for the past several years, is at a crossroads. Either funding levels must be increased so that the units of the University System can pay salaries which are comparable to other universities in the region, or the citizens of Montana must be ready to accept the fact that quality education in Montana is a thing of the past.

Low wages also plague other State government operations. Surveys conducted by the Department of Administration, in fulfillment of its Legislative mandate to develop a State classification and pay plan, show that salaries for many State jobs are far less than for comparable non-State positions.

In other areas, Federal funds for Medicaid and Medicare have not kept pace with increasing costs. This necessitates increasing State funds to provide Montana's needy and elderly with medical, hospital, and nursing home benefits.

These four areas: institutions, the university system, public employee salaries and social and rehabilitative services will require about 90 percent of the increase in the General Fund budget.

The amount of our budget is the result of two conditions: inflation and indifference.

Inflation can be attributed to the disastrous economic policies of the Federal government — deficit spending, over reliance on Arab oil, and the failure to implement effective national energy policies and conservation measures.

Indifference to the institutions dates back 20 years. It is time we met our responsibility to those unfortunate people confined in the institutions because it is the only morally acceptable course of action.

I am recommending again this year the retention of a General Fund surplus. I believe it is essential to maintain a balance of \$10 million as insurance against very real possibilities of a severe economic decline.

I am also reiterating the commitment I made to the people of Montana last year not to raise individual taxes through 1980. And I am proposing measures to provide \$29.5 million in tax relief. When combined with the \$93 million in tax relief of 1973 and 1974 this will total \$123 million returned to Montana taxpayers during this administration.

This program is no "miracle concoction". It is, however, a carefully considered attempt to balance the realities of today against the possibilities of tomorrow.

The program I am proposing to this Legislature, with respect to the problems at Montana institutions, is predicated on the basic policy of my administration that the State must guarantee that residents and patients at our institutions receive the level of care and treatment to which they are constitutionally and morally entitled. Nothing less is acceptable.

In order to implement this policy, the program which is recommended in the Executive Budget has been developed to accomplish these significant goals.

Decent residential facilities and accredited hospital facilities must be available for residents at Boulder River School and Hospital and Warm Springs State Hospital.

To accomplish this goal, I have requested long range building expenditures in excess of \$3 million to renovate residential units at Warm Springs and improve general living conditions at both Boulder and Warm Springs.

High quality care, treatment, training, and rehabilitation programs must be provided at Boulder and Warm Springs.

To accomplish this goal, I am recommending budgets for the two institutions that will provide for additional staff and substantial salary increases and allocate funds for career training programs and transportation for employees.

The cost of this program will be \$25 million.

Community care facilities for the developmentally disabled and mentally ill must be established.

To accomplish this goal, I am recommending that \$7.5 million be appropriated to fund the Developmental Disabilities Facilities and Services Act of 1974. This appropriation when matched with Federal funds will make it possible to move approximately 250 to 300 residents from Boulder River School and Hospital into community facilities during the biennium.

The rights and dignity of residents at Boulder River School and Hospital and patients at Warm Springs State Hospital must be guaranteed and protected.

And a goal of this administration is legislation to ensure that no citizens of this State are denied due process of law by their confinement in an institution.

A significant social problem which must be addressed at this time is the proportionately heavy property tax burden borne by Montana's senior citizens. These people worked hard during their productive years in order to own their own homes and retain sufficient savings to carry them comfortably through their retirement years. Inflation and unrestrained growth in property taxes have penalized this segment of our population — reducing, for many families, what was planned to be a comfortable retirement to a dependency on food stamps.

I am proposing legislation which will provide substantial property tax relief for the State's senior citizens and other general property tax relief.

"The Montana Senior Citizens Tax Relief Act of 1974," is designed to provide direct property tax rebates to Montana citizens who are over 55 years old and earn less than \$7,500 annually. The Act will provide tax relief totaling \$3.5 million to approximately 30,000 senior citizen families in Fiscal Year '77.

I am also proposing that the School Foundation Program be increased by approximately six percent each year of the new biennium. This will be the second time in the history of the School Foundation Program that it has been fully funded at increased schedules. The first time was in 1973. This should reduce the required amount of funding required to be obtained through the voted levy on property by approximately \$6 million in Fiscal Year '76 and \$12 million in Fiscal Year '77.

I am proposing that all Revenue Sharing moneys received by the State in Fiscal Year 77 be used to reduce the statewide property levy required to fund the State public school permissive deficiency for Fiscal Year '77. If the Revenue Sharing Act is continued by Congress, and I have every reason to believe that it will be, this measure will mean a reduction of over \$8 million in statewide property taxes in Fiscal Year '77.

Overall, the property tax program I am proposing to you will provide relief amounting to nearly \$30 million during the next biennium.

Theodore Roosevelt in a message to Congress in 1907 said it well:

"To waste and destroy our natural resources, to skin and exhaust the land instead of using it so as to increase its usefulness will result in undermining, in the days of our children, the very prosperity which we ought by right to hand down to them amplified and developed."

We live in a finite world with exhaustible resources to sustain a population that is consuming these resources at phenomenal rates. The Federal government has yet to recognize and deal with this overwhelming reality.

Nearly two years after the energy crisis became apparent we still do not have an effective conservation policy at the Federal level.

Until Federal inaction and indecision are replaced by positive and definitive policies, I do not believe Montana should be called upon to satisfy the insatiable demands of a Nation bent on consuming itself.

In Montana we have been blessed with an abundance of natural resources, and the pressures of development are increasing daily.

The important question we face today is how can these resources be developed with minimum effect on the environment and maximum return to Montanans today and in years to come.

As the chief executive, it is my duty to articulate a policy which realistically deals with the problems at hand, yet is responsible to the people of both this State and Nation.

That policy must recognize such critical factors as our quality of life, job opportunities for our people, our unique agricultural base, the tax burden on our people, and our interdependence with our Nation and the world.

We must maximize the return to Montana citizens from the utilization of nonrenewable resources. To accomplish this, I propose that we revise

the net proceeds and severance tax on coal, to reflect increases in the market value, increase the return for utilization of nonrenewable resources on State lands, and broaden our authority to develop resources, such as water, which could be marketed at a profit for industrial purposes.

We must anticipate the inevitable depletion of finite resources and act now to strengthen our traditional, renewable-resource-based economy.

We must adopt a comprehensive and far-sighted approach toward renewable resource development if we are going to retain control over the way of life we seek to preserve in Montana.

To assure that objective I propose the creation of a Montana Resource Development Fund. I propose that the Fund will be financed by a set-aside of 10 percent of the revenue received from existing severance and severance-type State taxes on coal.

The Fund would include bonding authority up to the amount which could be financed by tax revenues and returns on loans and investments. The program would consist of projects approved by the Governor and the Legislature.

In the first phase, the Fund would be used to put Montana's water to work for Montanans by offering low-interest loans and grants for multipurpose water projects.

In the second phase, as our experience and available moneys grow, the program could be expanded to include projects for improved management of our forest resources, preservation of critical areas, the expansion of agricultural trade, and vertical integration of renewable resource industries.

I propose an immediate Forest-Work Program to utilize approximately \$500,000 of State funds to substantially improve our State timber and recreational resources, through thinning, slash disposal, and reforestation and at the same time provide jobs for workers hard hit by the recession in the wood products industry.

Recently enacted Federal manpower legislation will provide money for very similar goals. In addition, there are Federal funds presently committed to Montana which we may be able to redirect toward this program in the future. This means two additional sources of money may be available within a few months to complement the Forest-Work Program and allow it to have a more beneficial impact on the unemployed workers of the wood products industry in Montana. However, I must emphasize, that an immediate State appropriation is necessary to allow the program to begin operating during the high unemployment winter months of January, February, and March.

I believe a forest inventory program is necessary to determine the capacity of our forests for multiple uses, including identification and increased utilization, of areas where increased or decreased use should be encouraged.

I recommend the use of General Fund moneys, where necessary, to finance reforestation of areas of State lands and thus retain a long-term base for our forest products industry.

Efforts should be made to increase the productivity of State-owned land.

I support a technical services program to accomplish the feasibility studies needed to put Montana's water to use.

Tax incentives should be considered for land improved by the installation of irrigation equipment.

We must ensure that coal development does not place an overwhelming burden on local areas. Additional funding methods must be made available to impact areas so that local governments can cope with the increased demands for governmental services.

We must strengthen State policy related to construction of coal conversion facilities.

We must establish siting criteria that satisfy public interest and provide adequate lead times and training programs geared to Montana employment requirements.

We must also ensure that Montana's need for energy will be met within the coming decades. To assure this objective, I propose cooperative agreements or State participation, relating to projects to provide adequate supplies of our most scarce energy commodity — natural gas — through synthetic production if necessary.

There must also be increased emphasis on exploration for additional natural gas and oil resources that may exist in the State and reservation of at least a portion of these resources or production capabilities to meet the future needs of Montana.

Land use planning to protect agricultural land is essential to maintain the productivity of our most important industry.

Certain large scale or intense developments, regardless of where located, have social, economic and environmental impact of such magnitude that they supersede local capabilities. We need a system to identify these areas and developments and to facilitate local planning and regulation.

A process of goal formulation must be established so that Montana will develop according to the desires of Montanans, not the Federal government, energy companies, or California developers.

What I have just outlined is a program to help us meet the challenges of coal and other resource development, to provide jobs and tax revenues for our people, to build an economy securely based on the traditional forms of production and development which have historically characterized Montana, and to increase the strength of our family farms and renewable-resource-based industries.

The Commission on Post Secondary Education provided many Montana citizens with an opportunity to inventory the correct level of postsecondary educational services in the State. The consensus of the majority was that Montana has much to lose if the financial erosion of educational services is allowed to continue.

Higher education in our State is losing ground in comparison with other states. We believe that our budget recommendation to increase funds for the University System by \$21 million will reverse these disturbing trends and provide a major step toward restoring public pride in our University System.

Last November 5, the people of Montana elected local government study commissions in each of the State's municipalities and counties. They are charged with thoroughly reviewing the structure, powers, and services of their local government and presenting recommendations to the voters in 1976.

The Montana voter review of local government is a unique phenomenon. Never before has such a review been attempted on such a scale. The potential for educating the people of Montana about their local governments and the potential for constructive improvements in all aspects of local government are tremendous.

To carry out this constitutional and legislative mandate these commissions will require funding from the State. In the State of the State Address in 1974 I said the Decade of the 70's would be the Decade of Local Government. I am therefore supporting legislation to change the name of the Department of Intergovernmental Relations to the Department of Community Affairs, and provide greater support and better coordination of programs to assist Montana's municipalities and counties.

One of the increasing costs of State government has been the compilation of environmental impact statements under the Montana Environmental Policy Act. A study compiled by my office indicates that the magnitude of the environmental impact statements being compiled requires that a fundamental decision be made as to who should pay for the costs of impact statements. I support legislation which would permit State agencies to adopt rules imposing fees which could not exceed two percent of the cost of any proposed project to offset the costs of preparing environmental impact statements.

The record of this administration and the 43rd Legislative Assembly in exposing the abuses that existed in the State's Workmen's Compensation Division and recommending improvements is positive and beyond question.

On January 2, 1973, the second day I occupied this office, I recommended legislation (HB 294) to reorganize the Division and establish an independent appeals board, which would have eliminated the conflict of interest between an administrator responsible on one hand for reviewing and adjudicating workers' claims and also for operating the State insurance program which paid these claims.

The bill was held over, yet the controversy that surrounded the bill led me to replace the administrator in March of 1973 and to request an executive and legislative post audit, which exposed abuse of the system and injured workers in Montana.

In 1974 the Legislature approved and I signed legislation granting the Attorney General the power to prosecute those charged with crimes and an appropriation of \$183,000 to conduct the investigations.

Administrative changes have eliminated the possibility of future abuse; however, I believe today as I did two years ago in the need for statutory reform.

I, therefore, endorse the recommendations of the Select Committee on Workmen's Compensation established by the 1974 Legislature.

These recommendations are:

1. To authorize the Division to regulate attorneys' fees in workmen's compensation cases.
2. To require the Division to directly notify claimants of any award or settlement concerning claims.
3. That a workmen compensation judge be appointed to eliminate the conflict of interest and to guarantee that the rights of all workers will be protected.

4. That the Division utilize experience ratings and maintain actuarially sound reserves.

5. The creation of an uninsured employee's fund for injured workmen.

Furthermore, this administration will continue to support any reasonable measures to complete the investigation and prosecution so that we can restore public confidence and trust in this important agency of State government.

One of the serious problems facing Montana today is high interest rates and the lack of mortgage capital for the construction or purchase of individual homes and apartments. This problem is especially evident among our low and moderate income citizens. And it is the primary reason the wood products industry has experienced a radical decline.

I am supporting legislation which will establish a housing finance program at the State level to provide below market interest rate funds to increase the construction of housing for Montana's low and moderate income citizens where the public necessity requires such assistance.

The program would be funded by the issuance of revenue bonds, the principal and interest of which would be paid by funds from housing projects aided by loans made under the program. In addition, this program will provide hundreds of new jobs for Montanans.

I support the endeavors to achieve equal opportunities for women, protection of minority groups, and securing the fundamental rights of all our citizens.

During the past four years Montana State government has changed more than in the previous 50 years. A new Constitution and executive reorganization were proposed in 1920 by Governor Joseph Dixon but it took 50 years to implement those programs.

The executive, legislative and judicial branches of government have been strengthened and modernized. Fiscal management of State government has vastly improved. Highly trained professionals have been hired to run important agencies. New programs have been created to solve new problems. Government has been opened to the public and the press. The people have an opportunity to participate in the decision-making process, and government has become more responsive and accountable.

While I have strongly supported these changes and reforms, I believe the time has come to concentrate our efforts on improving the delivery of services within the structure of government as it now exists.

After taking government to the people in 24 public forums, I can tell you that the people of Montana are interested in their government, but they are confused by the numerous programs at the federal, state and local level. They question whether government will really make their lives better.

This is a legitimate and pervasive concern common to thousands of people who are coming to believe that they are under-represented and over-regulated. And you cannot fault people for this feeling when you consider the accumulation of old problems that have not been solved and new troubles that were never anticipated.

Nowhere is the concern of Montanans more apparent than in the fundamental issue of governmental integrity. In 1974, I submitted to the Legislature proposals for revision of laws relating to political campaigns.

At present, political campaigns are governed by laws enacted by popular initiative in 1912. Those laws are archaic, confusing, and obsolete. They must be modernized.

Adequate mechanisms must be provided for investigation of alleged campaign violations during, and after, elections. Provisions for financial reporting need drastic overhauling.

In Montana, we have established a precedent of effective and responsible government, and this gives me confidence that we can do something about the problems and concerns of the people we represent.

Montanans see inadequacies and they want them corrected.

They see people suffering and they want them helped.

They see the beauty of their State threatened and they want it protected.

They see resources squandered and they want them saved.

They see injustice and they want it eliminated.

And they see economic decline and they want it reversed.

People do not expect miracles and they are resigned through past experiences to the possibility of hard times. But like the homesteaders waiting for next year, they believe things will improve. I believe that government can be the instrument of this change.

THOMAS L. JUDGE,
Governor

Benediction was given by Father O'Donnell, the House Chaplain.

The Governor was escorted from the chamber.

It was moved by Senator Lynch that the joint assembly be dissolved and that the members of the Senate return to the Senate Chambers.

The joint assembly having been dissolved, the House resumed business at 2:50 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 8, 1975

Mr. Speaker: We, your committee on Rules, having had under consideration House Resolution No. 1, respectfully report as follows: That House Resolution No. 1 be adopted as amended.

DRISCOLL, Chairman

Report adopted.

MOTIONS

Bradley moved that the following names be added as co-sponsors to House Joint Resolution No. 1: Stoltz and Yardley.

Motion carried.

Bradley moved that the following names be added as co-sponsors to House Bill No. 4: Stoltz and Yardley.

Motion carried.

Stoltz moved that the following names be added as co-sponsors to House Bill No. 5: Kimble, Bradley and Huennekens.

Motion carried.

Stoltz moved that the following names be added as co-sponsors to House Bill No. 6: Kimble, Bradley and Huennekens.

Motion carried.

Stoltz moved that the following names be added as co-sponsors to House Bill No. 8: Kimble, Bradley and Huennekens.

Motion carried.

Stoltz moved that the following names be added as co-sponsors to House Bill No. 9: Kimble and Huennekens.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 32, introduced by McFadden, Tropila, Gilligan, O'Connell, Menahan, Lynch, Teague, Quilici, Travis, Harper, Murphy, Bradley, Lester: A bill for an act entitled: "An act to amend Section 11-1919, R.C.M. 1947, to provide for a tax on fire insurance premiums for the purpose of adjusting pensions of firemen who retired prior to July 1, 1973, or their widows and orphans, and to provide for disbursement of that revenue." Referred to Committee on State Administration.

House Bill No. 33, introduced by J. Murphy, Mular, Gunderson, Manuel, Jacobsen, Dassinger, Fishbaugh, Kummerfeldt, Lien: A bill for an act entitled: "An act establishing a saline seep control program within the Department of State Lands; providing effective and termination dates." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 34, introduced by Kendall: A bill for an act entitled: "An act to amend Sections 16-2911 and 16-2914 pertaining to duties and liability for neglect thereof of the county clerks and recorders by adding the provision that clerks may refuse to record illegible documents, exempting the clerks from liability in such instances and reducing the penalty for neglect of duties." Referred to Committee on Local Government.

House Bill No. 35, introduced by Kendall: A bill for an act entitled: "An act setting county mill levies in proportion to the unprotested taxable valuation in the county and excluding protested valuation; amending Section 16-1904, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 36, introduced by Teague, Lynch, O'Connell, Menahan, Quilici, Travis, Gilligan: A bill for an act entitled: "An act to amend Section 62-716, R.C.M. 1947, to allow cash as well as non-cash awards as prizes in bingo games." Referred to Committee on Business and Industry.

House Bill No. 37, introduced by Robbins, O'Connell, Marks, Kendall, Fishbaugh, Lockrem, Day, Yardley, Halvorson, Scully: A bill for an act entitled: "An act allowing a third class city to retain the county attorney for legal matters not involving a conflict of interest; amending Section 11-702, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 38, introduced by McKittrick, Dussault, Harper, Meloy, J. Moore: A bill for an act entitled: "An act allowing public inspection of the records of the Division of Workmen's Compensation, providing exemptions, and repealing Section 92-809, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 1, introduced by Bardanouve: A bill for an act entitled: "An act appropriating money for the operation of the Forty-fourth Legislature and providing an immediate effective date." Referred to Committee on Appropriations.

House Joint Resolution No. 3, introduced by Shelden, Halvorson, Bardanouve, James Moore, Finley, Seifert, Gilligan, Murphy, R. Baeth, W. Baeth, Kimble, Dussault, Gwynn, Sloan, Fleming: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Province of British Columbia, the State of Montana, and the Federal Governments of Canada and the United States to take affirmative action to assure that coal and other energy resource development along the north fork of the Flathead River will not degrade the existing high quality of the air and water along the Flathead River, and that copies of this resolution be sent to the responsible government authorities. Referred to Committee on Natural Resources.

Without objection the Speaker rereferred House Bill No. 30 from the Committee on Highways to the Committee on Judiciary.

UNFINISHED BUSINESS

The Speaker announced the following changes in committee assignments: Tropila will be assigned to the Committee on Highways and Transportation and removed from the Committee on Fish and Game; and Vincent will be assigned to the Committee on Judiciary and removed from the Committee on Fish and Game.

Driscoll moved that the House adjourn until 1:30 p.m., January 9, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
January 9, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Aageson, Helmbrecht and Sivertsen, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Third Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 9, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly printed: House Resolution No. 1.

QUILICI, Chairman

January 9, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do pass.

BARDANOUE, Chairman

Report adopted.

January 9, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 2, respectfully report as follows: That House Bill No. 2 do pass.

BARDANOUE, Chairman

Report adopted.

January 9, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 6, respectfully report as follows: That House Bill No. 6 do pass.

HUENNEKENS, Chairman

Report adopted.

January 9, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 do pass.

HUENNEKENS, Chairman

Report adopted.

MESSAGE FROM THE GOVERNOR

GOVERNOR'S BUDGET MESSAGE

MEMBERS OF THE FORTY-FOURTH LEGISLATIVE ASSEMBLY:

Years ago someone hung the term "the Dismal Science" on the field of economics. It is a term you hear more and more frequently these days, not without good reason. We — you, me, all Montanans, indeed all Americans — are presently experiencing the most pronounced economic crunch most of us have ever experienced. An ominous air of uncertainty hangs over the entire economic scene in America today. The experimental economics which has become a way of life at the federal level over the past several years has led to the potentially disastrous combination of inflation and recession that we are now experiencing.

Viewed from the standpoint of the public administrator, inflation causes an increase in the need for human services, as does the increased unemployment which results from recession. Further, although inflation leads to higher tax collections, at least temporarily, unemployment leads to a decrease in tax collections. Therefore, depending on the inflation - recession mix, beyond a certain point we could very well be faced with a situation of declining tax collections and increasing human service requirements. That's dismal.

I am optimistic that we will not reach that point during the next two years. However, I do not foresee a miraculous turn around in the present economic facts of life. I think it is clear to everyone that we are entering a period during which our resources will be strained to meet our service requirements. But we must not allow the uncertainty of the circumstances to prevent us from exerting the leadership we must to resolve the problems we face. My contribution to get this effort underway is the Executive Budget you have before you.

In the pages that follow, you will find detailed descriptions of my budget recommendations for the 1975-77 Biennium. For the most part, these recommendations relate to the continuation of existing programs. However, I have also included recommendations for several new programs and for significant expansions of existing programs in an effort to meet what I consider to be the truly high priority needs of the citizens of Montana.

The total operational budget is \$1.36 billion, representing an 18 percent increase over the \$1.15 billion budget approved by the Forty-Third Legislature. The General Fund portion of the budget amounts to \$371 million, up from \$251 million in the current biennium. Increases in budgets in three areas — Institutions, Post-Secondary Education, and Social and Rehabilitation Services — account for \$105 million from the General Fund. Inflation alone during the current funding period has cost state government \$3-4 million.

The total Long-Range Building Program budget is \$41 million. In this budget I am recommending a cash building program of \$18 million, of which less than \$800,000 will come from the General Fund, and a bond funded building program amounting to \$23 million.

The budget I have recommended will not require a tax increase, nor will it create continuing expenditure obligations which will lead to a tax increase in the 1977-79 Biennium. In fact, it is with considerable pleasure

that I am able to inform you that the allocation of state financial resources I am recommending in this budget provides \$29.5 million in funding from state sources that otherwise would have had to be raised through local and statewide property taxes over the next two years. This, combined with \$45 million in property tax relief and \$48 million in income tax relief resulting from legislation sponsored or endorsed by my administration in the Forty-third Legislature, brings to \$123 million the amount of direct property and income tax relief realized by the taxpayers of Montana thus far during my administration.

INSTITUTIONS

In the State of the State Message, I emphasized that we must provide a decent level of care and treatment for citizens who must reside in our institutions, particularly Boulder River School and Hospital and Warm Springs State Hospital. In an effort to respond to the needs of these citizens and the institutions in which they must reside, I am recommending broadly expanded and upgraded programs at Boulder and Warm Springs. In particular, I am recommending salary increases ranging from approximately 10 percent for professional staff to 35 percent for the lowest paid direct care and support personnel. These salary increase recommendations, which apply to all personnel at all of the custodial and care institutions, are long overdue. We cannot possibly hope to adequately staff our institutions with high caliber personnel unless we are willing to offer salaries which will adequately compensate personnel for the difficult and frequently unpleasant work which must be done at these institutions. I am also recommending that 252 full-time equivalent staff positions be added at Boulder River School and Hospital. This would bring Montana into compliance with staffing standards set by the Joint Commission on Accreditation of Hospitals, as well as with standards set down in the recent Federal Court decision in the Partlow decree in the Wyatt v. Stickney case in Alabama. In addition, I am recommending an increase of 362 full-time equivalent staff positions at Warm Springs State Hospital. I have included in my recommendations a transportation program which would provide bus transportation to Boulder, Warm Springs, and Galen from the urban areas which provide the labor pool for these institutions. Finally, I am recommending that care and treatment programs and training and rehabilitation programs at Boulder River School and Hospital and Warm Springs State Hospital be significantly upgraded and expanded. The total cost of implementation of these recommendations at Boulder and Warm Springs is approximately \$25 million for the biennium.

DEVELOPMENTALLY DISABLED

Closely related to the provision of care and treatment programs for residents at Boulder River School and Hospital is the provision of care, treatment, training and recreational programs for developmentally disabled citizens in general. Many such persons either presently reside in communities, or reside at Boulder but could function in communities if services were available at the community level. I am recommending that \$7.5 million be appropriated to fund the Developmental Disabilities Facilities and Services Act of 1974 and thereby assist communities in efforts to develop and provide services for the developmentally disabled. Implementation of this recommendation should make possible the transfer of 200 to 250 residents from Boulder River School and Hospital to community facilities.

PROPERTY TAX RELIEF AND REFORM

Foundation Program: I recommend that foundation program schedule rates be increased by an average of six percent each year of the new biennium and that the program be fully funded. In addition to helping to offset a substantial portion of the impact of inflation on our public schools, these

increases should reduce the amount of funding required to be obtained from voted property tax levies by \$6 million in Fiscal Year 1976 and \$12 million in Fiscal Year 1977. This will be the second successive biennium and the second time in recent history that the foundation program has been fully funded at increased schedule rates.

State Permissive Levy: I am recommending that all Revenue Sharing funds received by the state in Fiscal Year 1977 be used to reduce the statewide property levy required to fund the state public school permissive deficiency for Fiscal Year 1977. If the Revenue Sharing Act is continued by Congress, and all indications are that it will be, this proposal will mean a reduction of over \$8 million in statewide property taxes in Fiscal Year 1977.

Residential Tax Reform: I am recommending that \$3.5 million be appropriated to fund "circuit breaker" type legislation which will provide direct property tax rebates to Montana citizens who are over 55 years old and earn less than \$7,500 annually. The tax reform act I will present to the Legislature will apply to both home owners and renters and will affect approximately 30,000 senior citizen families in Fiscal Year 1977.

STRENGTHENING LOCAL GOVERNMENT

I urge the Assembly to give careful consideration to my recommendation that \$656,000 be appropriated to fund the local government study commissions which were created by the Forty-third Legislature in response to the constitutional mandate for local reviews of existing local governmental structures. These funds are essential if the local study commissions are to perform the comprehensive reviews they must in order to adequately satisfy the mandate set out by the Constitution. Also, I recommend that the present State Commission on Local Government be continued through the next biennium and that a General Fund appropriation of \$468,000 be appropriated to finance a continuation of the vital research and planning effort that Commission is currently conducting.

STATEWIDE CLASSIFICATION AND PAY PLAN

The study of state employee wage levels mandated by the 1973 Session of the Forty-third Legislature clearly shows that in many categories of employment, state employees are considerably underpaid in comparison to their counterparts in non-state jobs. The study further shows that great salary variations exist for comparable jobs located in different state agencies. In response to the legislative mandate to establish a uniform job classification system for state employees, the Department of Administration has developed a comprehensive classification system and, in addition, has conducted wage and salary surveys to establish a base for salary level recommendations. All members of this Assembly have by now received copies of the report submitted to me by the Department of Administration containing the wage and salary plan recommended by that Department. I have adopted, essentially, the salary level recommendations of the Department of Administration, with the primary modifications being those which were necessary to insure that salary levels for institutional employees remain consistent with those I have endorsed publicly in the past few months. I am recommending that the wage levels shown in the Department of Administration report, adjusted as I have just mentioned, be made effective retroactive to January 1, 1975. In addition, I am recommending that these levels be increased by 5% on July 1, 1975 for Fiscal Year 1976 and that another increase of 4.1% be provided on July 1, 1976 for Fiscal Year 1977. Finally, I recommend that each employee who has performed his job in a satisfactory manner receive a step increase on July 1, 1975 and another on July 1 of 1976.

These recommendations are built into the individual agency budgets you have before you. Compared to what it would cost to simply retain the existing salary structure and give each employee a nine percent increase each year of the new biennium, my recommendation would cost the General Fund an additional \$2.9 million in Fiscal Year 1975, \$3.5 million in Fiscal Year 1976, and \$3.3 million in Fiscal Year 1977.

HIGHER EDUCATION

Instructional Units: To fail once again to properly fund the instructional units of our University System will be tantamount to admitting that quality higher education is not a high priority state responsibility. Faculty salaries in Montana substantially lag salaries paid by other intermountain area colleges and universities. We are very much in danger of losing many of our finer faculty members as they find that, in the face of the exorbitant inflation rate, they can no longer justify declining higher salary offers elsewhere in the region. Therefore, I have recommended a University System budget which incorporates salary increases of the same magnitude as the increases I have recommended for state employees who are classified under the State Classification System. This recommendation will pull Montana faculty averages up to within a reasonable proximity of intermountain averages. Because of the nature of the formula funding technique adopted by the Board of Regents for this biennium, the recommended salary increases will lead to an increased General Fund requirement of \$21 million for the new biennium.

Bureau of Mines: Montana is among the wealthier states, mineral-wise, in the nation. In the State of the State Message, I stressed the need for orderly development of Montana's mineral resources. Orderly development presupposes a thorough advance knowledge of our mineral potential and the problems associated with development of that potential. With adequate funding, the Montana Bureau of Mines can assemble the information base required for the development of a comprehensive plan for orderly development of our mineral resources. I strongly recommend that this Assembly appropriate the \$1.8 million I have included in the budget for the operation of the Bureau of Mines. This investment now will repay itself many times in the future.

Educational Television: The Forty-third Legislature provided for the creation of a state owned and operated educational television network to provide educational, cultural, historical and current affairs programming for all citizens of the state. I am recommending that \$2 million be appropriated for operation of this extremely worthwhile program in the next biennium.

Library Commission: Federal funds for several critical programs carried out by the Library Commission are likely to be severely reduced or eliminated entirely in the next biennium. In order to avoid an interruption of the excellent services provided by these programs, I am recommending a General Fund contingency appropriation of \$1 million for the Library Commission for 1975-77. Under the contingency appropriation, federal funds received by the Library Commission during the biennium will be used to replace funds appropriated from the General Fund.

Student Assistance Programs: The Forty-third Legislature enacted legislation providing for a state subsidized work study program to assist students financially while they attend one of the state higher educational units. I think it is important for the state to do what it can to guarantee educational opportunity to all citizens, irrespective of their financial resources. I have thus recommended that \$1 million be appropriated to

implement our work study law, thereby providing financial assistance on a work study basis for students who must overcome prohibitive financial barriers if they are to attend college.

I have also recommended an appropriation of \$950,000 so that Montana can expand its participation in the WAMI cooperative medical school program. The expanded program will allow 20 students per year to spend the first year of medical school in a specially designed program at Montana State University, and then go on to the University of Washington for the remainder of their medical education.

HOUSING AUTHORITY

Among the serious problems facing Montanans today are high interest rates and the lack of mortgage capital for single family dwellings and apartments. These problems are especially serious for our low and moderate income citizens.

I am supporting legislation which will establish a housing finance program at the state level to provide funds at below market interest rates to encourage the construction of housing by and for Montana's low and moderate income citizens. The program would be funded by the issuance of revenue bonds, the principal and interest of which would be paid by revenues from housing projects aided by loans made under the program.

For the implementation of this program I have recommended the appropriation of \$181,000 for the biennium.

LONG-RANGE BUILDING PROGRAM

While I had originally hoped that the Long-Range Building Program could be kept on a cash basis for the next biennium, it has become increasingly clear that demand for General Fund revenue to fund high priority service programs precludes the possibility of cash funding the entire program of facilities construction that I consider to be essential at this time. Therefore, I am recommending a two part \$41 million building program, \$18 million of which is funded with current revenue, with the \$23 million to come from the sale of 10 and 20 year bonds.

There are many good reasons for embarking on this extensive building program during the coming biennium: the buildings are essential to efficient operation of and provision of services by State government, and sooner or later they will have to be constructed; building costs are increasing daily because of inflation; the construction program will employ many Montanans, and at this time of high unemployment, any project which is worthwhile and which will provide jobs for Montanans will be to the benefit of all the citizens of the State.

During the past several years, demands for state services have outstripped the ability of existing programs to provide these services. The cumulative impact of factors creating the increased demand, such as inflation, the general recession in the housing construction industry, the long overdue maturation of attitudes about care and treatment of the developmentally disabled and mentally ill, and the energy crisis could not have been accurately anticipated two years ago, although I think we all were aware that the impact would be substantial. During the period since the present biennium got underway my administration has made careful assessments of those major factors and other human service needs.

The budget I am presenting to you today contains my recommendations regarding the funding of programs I consider to be essential to the general well-being and long and short-range benefit of the citizens of the State

of Montana. The budget takes into account existing deficiencies in service provision, and anticipates new service requirements which will arise in the next several years.

You will note from the General Fund Budget Summary in Section 2 that I am recommending an ending General Fund balance of \$10 million for the next biennium. Although this may appear to be a large balance, it must be kept in mind that it is based on anticipated revenue collections, which in turn are based on certain assumptions about the condition of the economy of the state during the next 30 months. With the nation's experts differing widely about the potential state of the economy in the coming months, I think it is both reasonable and essential that we maintain a \$10 million balance. This represents only three percent of the total General Fund appropriation I have recommended for the biennium. That does not leave an excessive margin for error in these uncertain times.

The Governor has a responsibility under law to present his priorities and recommendations for funding programs for the provision of services. In fulfilling this responsibility, much time and effort has been devoted to the formulation of this budget. But in the final analysis, it is the responsibility of the Legislature, not the Executive, to determine the level of funding.

There will be proposals requiring funding which will originate with the Legislature. Further, this Assembly will make changes in the various budgets we have submitted. However, I urge the Legislature not to exceed the level we have recommended. To do so would require a tax increase which the people of Montana should not have to bear during these times when they are having a difficult time making ends meet.

Finally, in your deliberations concerning the budget I invite you to call upon the Office of Budget and Program Planning and other members of my staff at any time for additional information and assistance.

THOMAS L. JUDGE,
Governor

MESSAGE FROM THE OTHER HOUSE

January 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read three several times, and passed, title and history agreed to, and the said resolution is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 4 introduced by Lynch, Hazelbaker

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the temporary House rules be suspended and House Resolution No. 1 and House Bill No. 1 be placed on second reading this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committees:

House Bill No. 39, introduced by Mular, Quilici, Kelly, Harper, Menahan, McKittrick, Kimble, Brand, Driscoll, Luebeck, Murphy, W. Baeth, Conroy, Lester, Sloan, Hageman, Fishbaugh, Kendall, Kanduch, Lynch, Gilligan, Moore, Johnston, Magone: A bill for an act entitled: "An act amending Section 92-715, R.C.M. 1947, to remove the two percent (2%) discount on lump sum settlements in Workmen's Compensation cases." Referred to Committee on Labor and Employment Relations.

House Bill No. 40, introduced by Bardanoue: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1977; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 41, introduced by Lynch, Quilici, Huennekens, Menahan, Guthrie, Murphy, C. R. Anderson, Barrett, Holmes, Bengtson, Stoltz, South, Harper, Gunderson, Meloy, Kelly, Lien, Ellis, Lory, Kanduch, Tropila, McFadden, Luebeck, Mular, Gilligan: A bill for an act entitled: "An act to generally revise the laws relating to the Teachers' Retirement System; amending Sections 75-6201, 75-6207, 75-6208, and 75-6213, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 42, introduced by Luebeck, Richards, W. Baeth, Wolfe, Staigmiller, Harper, Shelden, Lynch, Bradley: A bill for an act entitled: "An act to require pharmacies to post the prices of prescription drugs under certain circumstances." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 43, introduced by Teague, Vincent, Federico, Tropila, McFadden: A bill for an act entitled: "An act to prohibit the charging of fees for hunting and fishing rights on state and federally owned lands; and providing a penalty." Referred to Committee on Fish and Game.

House Bill No. 44, introduced by Teague, O'Connell, Manuel, Huennekens, Federico, Tropila, Mular, McFadden: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article V, Section 6 of the Montana Constitution to provide that the Legislature shall meet in thirty (30) day sessions in even numbered years and sixty (60) day sessions in odd numbered years." Referred to Committee on Judiciary.

House Bill No. 45, introduced by Gunderson, Dussault, Harper, Jack Moore, Fabrega: A bill for an act entitled: "An act providing for licensure and regulation of radiologic technologists; establishing a Board of Radiologic Technologists; providing for administration of the act, inspections, enforcement and penalties; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 46, introduced by Kvaalen: A bill for an act entitled: "An act to amend Section 45-502, R.C.M. 1947, to lengthen the period of time in which a mechanic's lien may be perfected in some cases." Referred to Committee on Judiciary.

House Bill No. 47, introduced by Harper, Driscoll, Luebeck, Fleming, Mular, Gunderson, Stoltz, Staigmiller: A bill for an act entitled: "An act to amend Section 84-4103, R.C.M. 1947, to provide that special improvement assessments be paid at the same time as taxes; repealing Section 84-4104, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 48, introduced by Magone, W. Baeth, Kendall, Brand, Manuel, Johnson, Kanduch: A bill for an act entitled: "An act amending Section 32-4309, R.C.M. 1947, to require the posting of banner type 'Do not enter — wrong way' signs at the point of possible improper entry to a controlled access highway." Referred to Committee on Highways and Transportation.

House Bill No. 49, introduced by Mular, Brand, Helmbrecht, Kummerfeldt, Johnston, Gilligan, Kelly, Conroy, Kimble, Menahan, Halvorson, Kendall, Bengtson, Yardley, Harper, Murphy. A bill for an act entitled: "An act requiring a two (2) year moratorium of rail service abandonment; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 50, introduced by Mular, Halvorson, Dussault, Lynch, Kanduch, Driscoll, Menahan, James Moore, McKittrick, Bradley, Bengtson, Lien, Meloy, Scully, Harper, Staigmillier, Quilici, Kelly: A bill for an act entitled: "An act to increase the Board of Institutions to seven members; to provide that two board members shall be blood relatives of residents of Boulder River School and Hospital and Warm Springs State Hospital; and delineating their terms; amending Section 82A-806, R.C.M. 1947." Referred to Committee on State Administration.

House Joint Resolution No. 4, introduced by Lester, Travis, Johnson, Palmer, Federico, Gilligan, Tropila, James Moore, Stoltz, Huennekens, Dussault, Bradley, Kimble, Sloan, Herlevi, Staigmillier, Conroy, Murphy, Richards, Holmes, Finley, Kemmis, McFadden, Helmbrecht: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to oppose the veto of the Federal Strip Mining Bill by President Ford. Referred to Committee on Natural Resources.

House Joint Resolution No. 5, introduced by Bardanouve: A Joint Resolution of the Senate and the House of Representatives of the State of Montana prescribing the duties and compensation of legislative officers and employees. Referred to Committee on Appropriations.

House Joint Resolution No. 6, introduced by Holmes, Stoltz, Bradley, Travis, Dussault, Huennekens, Yardley, Meloy: A Joint Resolution of the Senate and the House of Representatives of the State of Montana petitioning the United States Congress to review the Social Security Laws for the purpose of eliminating sexual discrimination from the Social Security System. Referred to Committee on Judiciary.

Senate Joint Resolution No. 4, introduced by Lynch, Hazelbaker: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to adopt Joint Rules to govern its proceedings. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 9, 1975

Mr. Speaker: We, your Committee of the Whole, having had under con-

sideration business on Second Reading, recommend as follows: That House Resolution No. 1 be amended as follows:

1. Amend on page 2, line 14.

Following: "interns"

Insert: "and aides" (62-31)

And further amend as follows:

2. Amend page 2.

Strike: lines 10 through 17 in its entirety. (71-24)

And, as amended, be adopted. (93-0)

That House Bill No. 1 do pass. (96-0)

That the Committee rise and report.

KVAALEN, Chairman

Report adopted.

MOTIONS

Driscoll moved that the temporary House Rules be suspended and House Bill No. 1 be placed on third reading this day.

Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 1 was passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Eller, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Ageson, Helmbrecht, Sivertsen. Total 3.

Absent or not voting: Kimble, James Moore, Schye. Total 3.

Driscoll moved that the House adjourn until 1:30 p.m., January 10, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
January 10, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 10, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 2, House Bill No. 6, House Bill No. 7.

QUILICI, Chairman

January 10, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Joint Resolution No. 4, respectfully report as follows: That Senate Joint Resolution No. 4 be concurred in.

DRISCOLL, Chairman

Report adopted.

January 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 be amended as follows:

1. Amend page 1, section 1, line 22.

Strike: "shall"

Insert: "may"

And as amended, do pass.

GERKE, Chairman

Report adopted.

January 10, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 5, respectfully report as follows: That House Joint Resolution No. 5 be amended, the introduced version, as follows:

1. Amend: Page 1, line 20.

Strike: "\$42"

Insert: "\$46"

2. Amend: Page 1, line 22.

Strike: "\$42"

Insert: "\$46"

3. Amend: Page 1, line 24.

Strike: "\$41"

Insert: "\$45"

4. Amend: Page 3, line 14.

Strike: "1.91"

Insert: "2.10"

5. Amend: Page 3, line 16.

Following: "information"

Strike: "supervisor"

Insert: "director"

6. Amend: Page 3, line 17.

Following: "information"

Strike: "officer"

Insert: "supervisor"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

January 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 19, respectfully report as follows: That House Bill No. 19, do not pass.

HUENNEKENS, Chairman

MOTIONS

Driscoll moved that the temporary House rules be suspended and House Bill No. 7 and Senate Joint Resolution No. 4 be placed on second reading this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 51, introduced by Driscoll, Palmer: A bill for an act entitled: "An act extending eligibility for class eight property tax classification to persons receiving disability benefits; amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 52, introduced by Driscoll, Quilici, Mular: A bill for an act entitled: "An act raising the income ceilings for taxpayers residing in dwellings entitled to classification as class eight property to four thousand eight hundred dollars (\$4,800) for a single taxpayer and six thousand two hundred forty dollars (\$6,240) for a married couple; amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 53, introduced by Marks, Gunderson: A bill for an act entitled: "An act related to the school transportation reimbursement rate schedule; providing an increase of the bus per mile reimbursement schedules; and amending Section 75-7018, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 54, introduced by Marks, Gunderson: A bill for an act entitled: "An act to amend Section 75-7019, R.C.M. 1947, relating to the procedure for determining the maximum reimbursement for individual transportation and relating to the rates of such reimbursement." Referred to Committee on Education.

House Bill No. 55, introduced by Gunderson, Kemmis, Jack Moore: A bill for an act entitled: "An act to provide state funding to public library federations with a one (1) mill levy on all taxable property; authorizing the State Library Commission to distribute grants to public library federations; defining grant programs; amending Section 84-3804, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 56, introduced by Bradley, Meloy, Driscoll, Johnson: A bill for an act entitled: "An act providing the Public Service Commission the authority and duty to encourage energy conservation through revisions of utility rate structures and classifications, directing the commission to revise same; amending Section 70-115, R.C.M. 1947; and providing an immediate effective date." Referred to Committee on Business and Industry.

House Bill No. 57, introduced by Yardley, Halvorson, Gunderson, Fleming: A bill for an act entitled: "An act to end the income surtax by repealing Section 84-4902.1, R.C.M. 1947; providing an immediate effective date." Referred to Committee on Taxation.

House Bill No. 58, introduced by Yardley, Halvorson, Gunderson, Fleming: A bill for an act entitled: "An act to increase the amount of income tax exemptions by amending Section 84-4910, R.C.M. 1947; providing an immediate effective date." Referred to Committee on Taxation.

House Bill No. 59, introduced by Yardley: A bill for an act entitled: "An act authorizing the Board of Natural Resources and Conservation to establish, and the Department of Natural Resources and Conservation to administer, a system of wild, scenic, and recreational river areas." Referred to Committee on Natural Resources.

House Bill No. 60, introduced by Palmer, Johnson, Kimble, Lynch, Menahan, Driscoll, Wolfe, Ellis, Long, Federico, Rasmussen, Travis: A bill for an act entitled: "An act appropriating matching funds for family planning program." Referred to Committee on Appropriations.

House Bill No. 61, introduced by South, Hubing: A bill for an act entitled: "An act authorizing the governing body of a county to make an all-purpose annual mill levy in lieu of the multiple levies and establishing a maximum number of mills." Referred to Committee on Local Government.

House Bill No. 62, introduced by Meloy, Driscoll, Bardanouve: A bill for an act entitled: "An act adding certain pipelines and railroad tracks to the facilities regulated under the Utility Siting Act; amending Section 70-803, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 63, introduced by Lynch, Quilici, Bradley, Murphy, Williams, Holmes, Harper, Manuel, Tropila, McKittrick, Meloy, Kelly, Gerke, Mular, Dussault, Stoltz, Menahan, Kanduch, Yardley: A bill for an act entitled: "An act to prohibit the Department of Social and Rehabilitative Services from maintaining records in child abuse or neglect cases in which the court has determined that the defendant is not guilty of the abuse or neglect; amending Section 10-1305, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 64, introduced by Lynch, Mular, Menahan, Quilici, Kanduch, Holmes, Kelly, Huennekens, Travis, Vincent, Brand, Staigmiller, Aageson: A bill for an act entitled: "An act to establish a minimum wage for full-time state employees." Referred to Committee on Labor and Employment Relations.

House Bill No. 65, introduced by Lynch, Quilici, Mular, Tropila, McFadden, James Moore, Staigmiller, O'Connell, Lien, Meloy, Bardanouve, McKittrick: A bill for an act entitled: "An act amending Sections 75-5607 and 75-5707, R.C.M. 1947, to empower the Board of Public Education to oversee organizations whose purpose is to regulate interscholastic activities, and to appoint two members to serve as members of the Board of Directors of such organizations; to require the Superintendent of Public Instruction to appoint a representative to the Board of Directors of such organizations; and limiting the power of school districts to join organizations not overseen by the board." Referred to Committee on State Administration.

House Joint Resolution No. 7, introduced by Harper, Gunderson, Murphy, Brand, Meloy, Vincent, Luebeck, McKittrick, Kimble, Driscoll, Fleming, Bradley, Manuel, Gwynn, Huennekens: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the President of the United States, the United States Senate bipartisan ad hoc Committee on the World Food Crisis and Montana's Congressional Delegation to foster and sponsor the included provisions of this resolution directed at resolving the world food crisis. Referred to Committee on Agriculture, Livestock and Irrigation.

House Joint Resolution No. 8, introduced by Vincent, Harper, Murphy, Aageson, Mular, Stoltz, Federico, Gunderson, Shelden, Manuel, W. Baeth, James Moore, Fagg: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign an Interim Committee to study the Model Consumer Credit Act of 1973 and the Uniform Consumer Credit Code and to report its findings and recommendations together with any proposed legislation to the Forty-fifth Legislature. Referred to Committee on Business and Industry.

House Joint Resolution No. 9, introduced by Harper, Fleming, McKittrick, Driscoll, Meloy, Kelly, Helmbrecht, Thomas, Tropila, Williams, McFadden, James Moore, Murphy, Vincent, Mular, Gwynn, Gunderson, Luebeck, Day, Travis, W. Baeth, Robbins, Conroy, Jacobsen, Teague, Richards, Kemmis, Palmer, Brand, Yardley, Halvorson, Lynch, Hageman, Johnston, R. Baeth, Quilici, Herlevi, Sloan, Shelden, Bradley, Stoltz, Holmes, Huennekens, South, Manuel, Kendall, Johnson, Dussault, Lester, Lien, Kummerfeldt, Dassinger, Bardanouve, Fishbaugh, Staigmiller, Wolfe, O'Connell: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the appointment of a Select Committee to investigate the practices of beef pricing in Montana. Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

W. Baeth in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 10, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 7 do pass. (97-0)

That Senate Joint Resolution No. 4 be concurred in. (99-0)

That the committee rise and report.

W. BAETH, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

January 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 11, respectfully report as follows: That House Bill No. 11 do pass.

KIMBLE, Chairman

Report adopted.

Driscoll moved that the House adjourn until 9:00 a.m., January 11, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana
January 11, 1975

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, Gwynn, Holmes, Kimble, Aageson, Sivertsen, Teague, Underdal, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 11, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bill No. 11, House Bill No. 25, House Joint Resolution No. 5.

QUILICI, Chairman

January 11, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 7.

QUILICI, Chairman

January 10, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do not pass.

LYNCH, Chairman

Objection raised by Conroy on adverse committee report on House Bill No. 23. Referred to Second Reading.

MESSAGE FROM THE OTHER HOUSE

January 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 1, introduced by Bardanouve

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 66, introduced by J. Murphy, Aageson: A bill for an act entitled: "An act exempting from taxation, agricultural land rendered unproductive by saline-alkali damage; amending Section 84-202, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 67, introduced by Manuel, Shelden, Gerke, Fagg, Menahan, W. Baeth, Luebeck, Fleming, Gunderson, O'Connell, Lynch, R. Baeth, Harper, Hageman, Stoltz, Huennekens, Bardanouve, Johnston: A bill for an act entitled: "An act to provide for the organization, operation, and supervision of cooperative, nonprofit thrift and credit associations to be known as credit unions and to define their powers; and repealing Sections 14-130 through 14-158, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 68, introduced by Huennekens, South: A bill for an act entitled: "An act to amend Section 84-437.2 to change the definition of land devoted to agricultural use." Referred to Committee on Natural Resources.

House Bill No. 69, introduced by James Moore, Halvorson, Finley, Sloan, Shelden: A bill for an act entitled: "An act to provide a definition of a specific language disability child, to permit parents of such children to petition the Board of Trustees to establish a special education program; and amending Sections 75-7801 and 75-7807, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 70, introduced by James Moore, Vincent, Scully: A bill for an act entitled: "An act repealing Section 52-318, R.C.M. 1947, to remove the statute forbidding the sale of mortgaged chattels without the consent of the mortgagee." Referred to Committee on Judiciary.

House Bill No. 71, introduced by Bradley, Lynch, Lund: A bill for an act entitled: "An act to amend Section 75-6902, R.C.M. 1947, to provide secondary schools a method of calculating average number belonging while offering part-time attendance to eleventh and twelfth grade students." Referred to Committee on Education.

House Bill No. 72, introduced by Jack Moore, Fabrega, Lester, Bardanouve: A bill for an act entitled: "An act providing for the certification of emergency medical technicians; providing for the acts of care they may perform; providing for the adoption of rules by the Board of Medical Examiners; and providing for protection from civil liability." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 73, introduced by Jack Moore, Fabrega, Lester, Bardanouve: A bill for an act entitled: "An act regulating the utilization of paramedical specialists or physicians' assistants by physicians." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 74, introduced by Staigmilller, Huennekens, Richards, Dussault, Gunderson, Harper, Gwynn, Bradley: A bill for an act entitled: "An act to tax subdivisions for fire protection; and amending Section 28-109, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 75, introduced by Kimble, McKittrick, Harper, Sloan, Johnson: A bill for an act entitled: "An act amending Sections 92-202.1,

92-204.1, 92-435, and 92-614, R.C.M. 1947; creating an uninsured employer's fund to grant all employees in this state workmen's compensation benefits even if their employers are not properly insured; providing for funding of the fund; giving the Division of Workmen's Compensation authority to grant, by rule, exemptions for corporate officers; redefining the definition of insurer; and repealing Sections 92-201, 92-203, 92-205, 92-207.1, 92-208, 92-209, 92-210, 92-211, 92-1102, 92-1116, and 92-1117, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 76, introduced by Kemmis, Lory, Fagg, Palmer, Harper, Richards: A bill for an act entitled: "An act to permit existing county, city-county, or city planning boards to form joint or consolidated planning boards by interlocal agreement." Referred to Committee on Local Government.

House Bill No. 77, introduced by Kvaalen: A bill for an act entitled: "An act amending Section 7-113, R.C.M. 1947, to permit state chartered building and loan associations to charge an amount not to exceed five dollars (\$5) as late payment penalty on any payment more than fifteen (15) days late; to charge interest on the late payment at a rate not to exceed twelve percent (12%); and to deduct these late payment charges from any payment." Referred to Committee on Business and Industry.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Mercer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 11, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 2 do pass. (90-0)

(Kimble present at this time.)

That House Bill No. 6 do pass. (81-5)

That the committee rise and report.

MERCER, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 4 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing,

Huennekens, Jacobsen, Johnson, Johnston, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Aageson, Fagg, Gwynn, Holmes, Sivertsen, Teague, Underdal. Total 7.

Absent or not voting: Bardanouve, Kanduch, Kelly, Menahan. Total 4.

REPORTS OF STANDING COMMITTEES

January 11, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly enrolled: House Resolution No. 1.

QUILICI, Chairman

January 11, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 1.

DRISCOLL, Chairman ex officio

January 11, 1975

The following bill was signed in the office of the Speaker of the House of Representatives on adjournment, January 11, 1975: House Bill No. 1.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 11, 1975

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 1, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:10 o'clock a.m., delivered to the Governor for his approval.

DRISCOLL, Chairman ex officio

FIRST READING AND COMMITMENT OF BILLS

Without objection, the Speaker rereferred House Bill No. 42 from the Committee on Public Health, Welfare and Safety to the Committee on Business and Industry.

Without objection, Menahan rereferred House Bill No. 60 from the Committee on Appropriations to the Committee on Public Health, Welfare and Safety.

Driscoll moved that the House adjourn until 1:30 p.m., January 13, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTH LEGISLATIVE DAY

Helena, Montana
January 13, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fleming and Hageman, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

January 14, 1975

The Honorable Lloyd C. Lockrem, Jr.
Minority Floor Leader
House of Representatives
Helena, Montana 59601

Dear Representative Lockrem:

The Republican delegation from Missoula County asks to be excused from the tours of our two state institutions on Tuesday and Wednesday (January 15th and 16th).

We toured both units in a much smaller group the latter part of September, 1974, thus feel there would be little gained from the proposed trips.

Respectfully,

R. GOULD

EARL C. LORY

HOWARD L. ELLIS

REPORTS OF STANDING COMMITTEES

January 13, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 23.

QUILICI, Chairman

January 13, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bill No. 2 and House Bill No. 6.

QUILICI, Chairman

January 13, 1975

The following resolution will be signed on adjournment on January 13,

1975, in the office of the Speaker of the House of Representatives: House Resolution No. 1.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 13, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 do pass.

HUENNEKENS, Chairman

Report adopted.

January 13, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 do pass.

HUENNEKENS, Chairman

Report adopted.

January 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 do pass.

BRAND, Chairman

Report adopted.

January 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 be amended as follows:

1. Amend page 3, line 13.

Strike: "shall"

Insert: "may"

And, as amended, do pass.

BRAND, Chairman

Report adopted.

January 11, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 do pass.

BARDANOUE, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 19 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing,

Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Fleming, Hageman. Total 2.

Absent or not voting: Bardanouve, Fagg, Holmes. Total 3.

MOTIONS

Lynch moved that House Bill No. 23 be taken from Second Reading and rereferred to the Committee on Legislative Administration.

Motion carried.

Yardley moved that the Taxation Committee be given seven days' extension on House Bills Nos. 14, 15, 16 and 18.

Motion carried.

Brand moved that House Joint Resolution No. 5 be taken from Second Reading and be referred back to committee.

Motion failed.

Kimble moved that House Bill No. 11 be taken from Second Reading and be referred back to the Committee on Appropriations.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 78, introduced by Johnson, Brand, Menahan, Palmer, Lester: A bill for an act entitled: "An act to require cities of the first and second class to pay full premium for insurance provided under 11-1024, R.C.M. 1947, to firefighters in the respective cities, to provide a minimum life insurance coverage, and to provide authority to raise the local mill levy if necessary." Referred to Committee on Labor and Employment Relations.

House Bill No. 79, introduced by Luebeck, Huennekens, Vincent, Menahan, Kemmis, Harper, Teague, Dussault, Kelly, Mular, Lynch: A bill for an act entitled: "An act to allow utilization of Montana streams and rivers for recreational uses." Referred to Committee on Natural Resources.

House Bill No. 80, introduced by Meloy, Huennekens, Vincent, Richards, Harper, Luebeck, Kemmis, Bradley: A bill for an act entitled: "An act to provide for the ownership and operation of public utilities by units of local government." Referred to Committee on Business and Industry.

House Bill No. 81, introduced by Mular, Quilici, Kelly, Murphy, Menahan, Gilligan, Conroy, James Moore, Kanduch, Lynch, Luebeck, Bengtson, Brand: A bill for an act entitled: "An act revising the status of certain hardrock mining records in the Department of State Lands from

confidential to public; and confirming the confidentiality of other such records; amending Section 50-1221, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 82, introduced by Driscoll, Meloy, Harper: A bill for an act entitled: "An act to conform the eminent domain power granted to regulated public utilities with the power granted the Department of Highways; repealing various grants of eminent domain power to persons not public utilities, cooperatives, or public agencies; providing for judicial review of a presumption of necessity; amending Sections 15-2204, 93-9902, and 93-9910, R.C.M. 1947; and repealing Sections 50-801 through 50-816, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 83, introduced by Day, Robbins, Bengtson, Conroy, Meloy, Bradley, Huennekens, Shelden, Fishbaugh, Jacobsen, South, Wolfe, Holmes, Kimble, Manuel, Bertelsen, Johnson, Luebeck, Richards, Lester, Kemmis, Staigmillier, Williams, Palmer, Sloan, Gerke: A bill for an act entitled: "An act prohibiting a change of use for a water right from agricultural to nonagricultural; amending Section 89-892, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 84, introduced by Vincent, Harper: A bill for an act entitled: "An act to amend Section 32-2144.6, R.C.M. 1947, to increase the penalty for speeding violations and to provide for violations to be recorded on the driver's record." Referred to Committee on Highways and Transportation.

House Bill No. 85, introduced by Quilici, Brand, Lynch, Driscoll, Menahan, Luebeck, Mular, Casey: A bill for an act entitled: "An act revising the criteria for class eight property classification; reducing the minimum age for widows and widowers alike to sixty (60) years; increasing the maximum allowable income; extending eligibility to persons receiving disability benefits; amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 86, introduced by Lester, Jack Moore, Gould, Gilligan, Travis, Murphy, (by request): A bill for an act entitled: "An act to protect the rights and independence of blind persons; amending Sections 71-1305, 71-1306, and 71-1307, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Joint Resolution No. 10, introduced by Bradley, Holmes: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Department of Health and Environmental Sciences to develop public health and safety standards for jails. Referred to Committee on Public Health, Welfare and Safety.

Without objection, the Speaker referred House Bill No. 62 from the Committee on Business and Industry to the Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Jacobsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 13, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 25 do pass. (96-0)

That House Joint Resolution No. 5 do pass. (90-6)

That the Committee rise and report.

JACOBSEN, Chairman

Report adopted.

Hageman present at this time.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 7 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 92.

Noes: Guthrie, Hubing, Smith, Wyrick. Total 4.

Excused: Fleming. Total 1.

Absent or not voting: Brand, Ellison, Menahan. Total 3.

Lockrem moved that the House adjourn until 4:00 p.m., January 14, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTH LEGISLATIVE DAY

Helena, Montana
January 14, 1975

House Chambers
Capitol Building

House convened at 4:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fleming, Fishbaugh, Menahan, Lund, Mercer, Ellerd, Asher, and J. Anderson, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 14, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution considered correctly engrossed: House Bill No. 25, House Joint Resolution No. 5.

QUILICI, Chairman

January 14, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly printed: House Bill No. 24, House Bill No. 31, House Bill No. 40. House Joint Resolution No. 1, House Joint Resolution 2.

QUILICI, Chairman

January 14, 1975

The following resolution was signed in the office of the Speaker of the House of Representatives on adjournment January 13, 1975: House Resolution No. 1.

EDWIN A. SMITH, Chief Clerk
House of Representatives

MOTIONS

Driscoll moved that the rules be temporarily suspended and that House Bill No. 40 be placed on Second Reading this day.

Motion carried.

Staigmilller moved that the Fish and Game Committee be given an extension on House Bill No. 43.

Motion carried.

Quilici moved that House Joint Resolution No. 5 be taken from engrossing and be referred back to the Committee on Appropriations.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Brand in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 14, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows: That House Bill No. 40 do pass. (90 - 1)

That the committee rise and report.

BRAND, Chairman

Report adopted.

MOTIONS

Driscoll moved that the rules be temporarily suspended to place House Bill No. 40 on Third Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 2 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: J. Anderson, Asher, Ellerd, Fishbaugh, Fleming, Lund, Menahan, Mercer. Total 8.

Absent or not voting: Guthrie, Holmes, Rasmussen, Seifert. Total 4.

House Bill No. 6 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch,

McFadden, Magone, Manuel, Marks, Meloy, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Babcock, Brand, Johnston, Mular, Schye, Smith. Total 6.

Excused: J. Anderson, Asher, Ellerd, Fishbaugh, Fleming, Lund, Menahan, Mercer. Total 8.

Absent or not voting: Finley, Holmes, Rasmussen. Total 3.

House Bill No. 40 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: J. Anderson, Asher, Ellerd, Fishbaugh, Fleming, Lund, Menahan, Mercer. Total 8.

Absent or not voting: Holmes, Rasmussen. Total 2.

Driscoll moved that the House adjourn until 1:30 p.m., January 16, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

NINTH LEGISLATIVE DAY

Helena, Montana
January 16, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Kelly, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 16, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3

Be amended in the introduced bill as follows:

1. Amend page 3, line 3.

Following: "International"

Strike: "Boundary"

Insert: "Joint"

2. Amend page 3, following line 3.

Following: line 3

Insert: "Be it further resolved, that the Montana Congressional Delegation pursue the subject matter of this resolution with appropriate federal and international agencies, and that the Secretary of State send copies of this resolution to each member of the delegation."

And, as amended, do pass.

BRADLEY, Chairman

Report adopted.

January 16, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 do pass.

BRADLEY, Chairman

Report adopted.

January 16, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30

Be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Strike: "HOURS"

Insert: "HOUR"

2. Amend page 2, section 1, line 13.

Following: "act"

Strike: "chapter"

Insert: "section"

3. Amend page 2, section 1, line 14.

Following: "justice"

Strike: "of the peace"

Insert: "court"

As so amended, do pass.

HUENNEKENS, Chairman

Report adopted.

January 16, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do not pass.

HUENNEKENS, Chairman

January 16, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 do not pass.

HUENNEKENS, Chairman

MESSAGES FROM THE GOVERNOR

January 15, 1975

The Honorable Pat McKittrick
Speaker of the House
of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I approved House Bill No. 1 on January 11, 1975.

Sincerely,

THOMAS L. JUDGE
Governor

January 16, 1975

Honorable Gordon McOmber
President of the Montana State Senate
Capitol Building
Helena, Montana 59601

Honorable Pat McKittrick
Speaker of the House of Representatives

Capitol Building
Helena, Montana 59601

Dear President McOmber and Speaker McKittrick:

In 1971 the Montana Legislature enacted the Professional Negotiations Act (Title 75, Chapter 61, R.C.M. 1947) in an effort to provide a well-defined collective bargaining procedure for teachers and school boards. Experience in the last four years has exposed severe weaknesses in the act which have frustrated negotiations at the bargaining table and disrupted education in school districts throughout the State.

The current law has an inadequate impasse procedure. While impasse panels have been appointed, neither the bargaining unit nor the school board is obligated to consider the recommendations of the panel. In recent years some impasse panel recommendations have been flatly ignored.

The Professional Negotiations Act is inadequate in the definitions and procedures regarding unfair labor practices. There is no remedy for alleged unfair labor practices short of district court action.

The law is unclear on who may be included in bargaining units. The definition of what items are negotiable is unclear.

By Supreme Court decision (Vol. 31, Montana Reporter, p. 678) school boards may issue individual teacher contracts before a negotiated settlement has been reached, thus limiting the power of teachers to negotiate through their lawfully recognized bargaining agent.

The deficiencies of the law were recognized by the 43rd Legislative Assembly, which authorized the appointment of an interim committee on teacher-school board negotiations. That panel met during the interim, but its recommendations do not address the major problems in the current law.

The passage of legislation which clearly defines collective bargaining rights and delineates orderly procedures to resolve disputes will benefit both sides of the bargaining table. I urge the Legislature to correct the deficiencies in the current law and provide Montana's teachers with the rights of collective bargaining, which are currently guaranteed to all other public employees.

Sincerely,

THOMAS L. JUDGE
Governor

January 16, 1975

The Honorable Gordon McOmber
President
Montana State Senate
Capitol Building
Helena, Montana 59601

The Honorable Pat McKittrick
Speaker of the House of Representatives
Capitol Building
Helena, Montana 59601

Dear President McOmber and Speaker McKittrick:

In 1974, the Legislature considered numerous proposals for election reform in the State of Montana. Among those proposals was a bill which was drafted by my staff and introduced by Senator Miles Romney. That

bill and all of the other major proposals for election reform were not enacted by the 1974 Legislature.

At the end of the 1974 Session, I renewed my efforts to see meaningful campaign reform legislation enacted in Montana. I created an Ad Hoc Committee on Election Reform and asked them to prepare legislation for consideration by the 1975 Legislature. In creating this Committee, I asked all of those people who were involved in lobbying for or against campaign reform legislation in the 1974 Session to serve on the Committee. The Committee was comprised of representatives from the County Attorneys' Association, the County Clerks and Records Association, Montana Common Cause, the Democratic and Republican Parties, the AFL-CIO, the League of Women Voters, the Montana Chamber of Commerce, the Secretary of State's Office, the Office of Legislative Council, Representative Bob Marks and Senator Mike Greely. The Committee conducted a thorough examination of the current Corrupt Practices Act and finally recommended six majority and four minority proposals for introduction in the 1975 Session of the Legislature. I unequivocally endorse the majority proposals of the Ad Hoc Committee on Election Reform. However, before I discuss the majority proposals, I believe that it is necessary to briefly outline why election reform is needed in Montana.

The current Corrupt Practices Act is outdated, unintelligible and utterly confusing. A close examination of the current Corrupt Practices Act indicates that if applied literally, there is virtually no person who has ever participated either directly or indirectly in the political process who cannot be accused of violating the provisions of the law.

For example, the current Corrupt Practices Act requires every person, other than a candidate, who spends more than \$50 to aid in the election or defeat of a candidate to file a statement listing the contributions made with the Secretary of State's Office. I can assure you that if you will check with the Secretary of State's Office, you will find that only a handful of people have ever complied with the provisions of this law.

Another provision of the Corrupt Practices Act makes it a crime for a candidate to provide "any meat, drink, or other entertainment or provision, clothing, liquors, cigars, or tobacco, to or for any person for the purpose of or with the intent or hope to influence that person or any other person, to give or refrain from giving his vote" in an election. This section of the law goes on to specify that it is also a crime for an elector to receive such meat, drink, liquor or entertainment. If applied literally, this provision of the law would preclude any candidate from conducting a coffee hour, picnic, dinner, or entertainment function for the purpose of meeting voters or gathering support.

Another provision of the law makes it a crime to give "any money or valuable thing to any elector". This provision has been construed by the Montana Supreme Court to include folders containing needles, thread and pencils.

The disclosure and reporting requirements of the Corrupt Practices Act are also very ambiguous.

These and other provisions of the law are just a few reasons why I am convinced that meaningful election reform must be enacted by the 44th Legislature. I urge the Legislature to pass the majority recommendations of the Ad Hoc Committee on Election Reform.

The major provisions of the majority recommendations that will be presented to you can be described as follows:

The most essential element of campaign reform that you will consider is a proposal to establish a politically independent enforcement officer. This legislation will establish the Office of the Commissioner of Campaign Finances and Practices in the Secretary of State's Office. The Commissioner would be selected by the majority and minority of both houses of the Legislature. However, if these four individuals could not agree on the selection of a commissioner, the Montana Supreme Court would then appoint a fifth public member to cast the tie-breaking vote.

Once appointed, the Commissioner could only be removed from office by impeachment. However, the person selected to serve as Commissioner of Campaign Finances and Practices would only be permitted to serve one five year term and that person would not be permitted to run for any public office in the State of Montana for a period of five years after his or her term expired.

The Commissioner would be responsible for investigating all alleged violations of Montana's campaign laws. Once the investigation was completed, the information would be turned over to the appropriate county attorney and the county attorney would then have thirty days to decide whether or not a prosecution was justified. If a county attorney chose not to undertake the prosecution, the information would then be returned to the Commissioner and he or she would be authorized to undertake a prosecution.

I must emphasize, however, that in creating the position of Commissioner of Campaign Finances and Practices, it is essential that the Commissioner be granted the authority to provide assistance to candidates for public office. We cannot hope to have total compliance with the law unless all candidates for public office can go to the Commissioner and receive speedy answers to questions involving campaign practices and reporting requirements. The majority recommendation of the Ad Hoc Committee on Election Reform gives the Commissioner the authority to establish uniform accounting systems for candidates and to provide other services to those who must comply with the provisions of the law.

The second majority recommendation of the Ad Hoc Committee on Election Reform would impose a limitation on the amount that any individual or group of individuals can contribute to a particular candidate in any election. This legislation is being presented to you in recognition of the fact that no person or group of persons should be permitted to buy an election for a candidate.

The third majority recommendation of the Ad Hoc Committee on Election Reform would revise the current political criminal libel or disclaimer requirements of Montana's election laws. Basically, this legislation would require that the name of the person paying for political advertisements or materials to be printed on campaign material.

Two of the majority proposals of the Ad Hoc Committee on Election Reform will deal directly with the involvement of public employees in the political process. I am firmly convinced that Montana's new Constitution requires that the existing provisions of the law must be changed. Public employees should be protected at all costs against coercion to participate in political campaigns. But, at the same time, the right of public employees to support the candidates of their choice should be guaranteed so long as their activities do not occur during working hours.

The final majority recommendation of the Ad Hoc Committee would revise the current provisions of state law prohibiting corporations from contributing to political campaigns. The majority recommendation of the

Committee would expand the prohibition against corporate contributions to include ballot issues. At the same time, however, the proposed revision would delete the prohibition which now prevents the majority shareholders in a corporation from contributing to political campaigns.

I hope that you will carefully study and evaluate all of the majority recommendations for election reform submitted by the Ad Hoc Committee on Election Reform. Senator Mike Greely, who was a member of the Ad Hoc Committee, will be sponsoring all but one of the majority recommendations of that Committee. Senator Miles Romney will be sponsoring the majority recommendation dealing with corporate contributions. If you have questions about any of the majority recommendations, Senator Greely, Senator Romney, or members of my staff will be glad to meet with you. I can only emphasize that we cannot afford to wait until 1977 to achieve meaningful election reform in Montana. The confidence of the people in the political process can only be maintained if we are willing to enact strong and enforceable laws to regulate the campaign process.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Gunderson moved that House Bill No. 69 be taken from the Committee on Public Health, Welfare and Safety and be referred to the Committee on Education.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committee:

House Bill No. 87, introduced by Menahan, Lynch, Brand: A bill for an act entitled: "An act making it an offense for a person to interfere with another's first amendment rights." Referred to Committee on Judiciary.

House Bill No. 88, introduced by Holmes, Gunderson, Staigmiller, Federico, Bradley, Richards: A bill for an act entitled: "An act to eliminate the reference to citizenship as a requirement for a teaching certificate, to eliminate the provision that the Superintendent of Public Instruction may require aliens teaching in Montana to apply each year for a provisional teaching certificate; amending Section 75-6004, R.C.M. 1947; repealing Section 75-6005, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 89, introduced by Holmes, W. Baeth, Fagg, Staigmiller, Luebeck, Harper: A bill for an act entitled: "An act amending Section 53-148, R.C.M. 1947, to extend the privilege of purchasing personalized license plates to light trucks, motorcycles, camping trailers, and other personal use vehicles." Referred to Committee on State Administration.

House Bill No. 90, introduced by Brand, Aageson, Manuel, Sivertsen: A bill for an act entitled: "An act to exempt sprinkler-type irrigation systems from the property tax; amending Sections 84-202 and 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 91, introduced by Kendall, Sheldon: A bill for an act entitled: "An act to allow the creation of a Capital Improvement Fund for County Government." Referred to Committee on Local Government.

House Bill No. 92, introduced by Kendall, Seifert, Bertelsen, W. Baeth: A bill for an act entitled: "An act to amend Section 16-1803, R.C.M. 1947, to provide a bidding procedure for county purchases exceeding ten thousand dollars (\$10,000); limiting a contract period to five (5) years; providing a solicitation of bids; and allowing the Department of Administration to serve as purchasing agent for a county by mutual consent." Referred to Committee on Local Government.

House Bill No. 93, introduced by Vincent, Luebeck: A bill for an act entitled: "An act to provide a penalty for violation of Chapter 15 of Title 26, relating to construction and hydraulic projects affecting fish and game." Referred to Committee on Fish and Game.

House Bill No. 94, introduced by Vincent, Teague, O'Connell: A bill for an act entitled: "An act to amend Section 84-4908, R.C.M. 1947, to provide for a standard deduction of fifteen percent in computing net income, and to increase the maximum standard for a single to one thousand dollars and to two thousand dollars for a joint return and to provide for an alternative standard deduction for low-income families and persons over sixty-five." Referred to Committee on Taxation.

House Bill No. 95, introduced by Magone, Shelden, W. Baeth, Conroy, Kanduch, Palmer, Ellis, Helmbrecht, Dussault, McKittrick: A bill for an act entitled: "An act amending Sections 87-110 and 87-148, R.C.M. 1947, to cover all public employees under the Unemployment Compensation Laws." Referred to Committee on Labor and Employment Relations.

House Bill No. 96, introduced by Dassinger, Yardley, South, Bengtson, Manuel (requested by the Department of Revenue): A bill for an act entitled: "An act to amend Sections 11-2303 and 16-2010, R.C.M. 1947, to authorize city and town and county bond issues in excess of the limitation on indebtedness where major industrial facilities are under construction or about to be constructed." Referred to Committee on Local Government.

House Bill No. 97, introduced by Fagg: A bill for an act entitled: "An act amending Section 53-1107, R.C.M. 1947, and establishing a vehicle inspection account in the earmarked Revenue Fund." Referred to Committee on State Administration.

House Bill No. 98, introduced by Huennekens, Luebeck, Vincent: A bill for an act entitled: "An act providing access to State Lands and that State Lands shall be open to the general public for recreational use except in certain cases." Referred to Committee on Natural Resources.

House Bill No. 99, introduced by Bardanouve: A bill for an act entitled: "An act raising from eighteen (18) to twenty-one (21) the maximum age of juveniles subject to the jurisdiction of the Department of Institutions when released to the aftercare program from a State Juvenile Correctional Center; amending Section 80-1415, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 100, introduced by McKittrick, Lockrem, Driscoll, Meloy, Marks, Harper: A bill for an act entitled: "An act creating the office of Workmen's Compensation Judge; providing for its administration and jurisdiction; and repealing Sections 92-812, 92-813, 92-815 through 92-817, 92-819, 92-821, 92-822, 92-823, 92-824, 92-824.1, 92-825, 92-827 through 92-836, 92-1347, 92-1350, 92-1351, 92-1353 through 92-1355, 92-1357, 92-1359 through 92-1365." Referred to Committee on Labor and Employment Relations.

House Bill No. 101, introduced by Bardanoue: A bill for an act entitled: "An act to appropriate all revenue sharing funds received by the State during fiscal year 1977 to the State Permissive School Levy Account." Referred to Committee on Appropriations.

House Bill No. 102, introduced by Huennekens, McKittrick: A bill for an act entitled: "An act making the position of County Attorney in certain counties a full-time position; setting the qualifications therefor; amending Section 24-605, R.C.M. 1947, by providing a salary therefor; prohibiting certain deputies from engaging in the private practice of law; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 103, introduced by Jacobsen, Lien, Lund, Aageson, Mular, Shelden, Herlevi, Bardanoue, Halvorson, Williams, Bengtson, Gerke, Manuel, W. Baeth, Gunderson, Bradley, Lockrem, Casey, Kummerfeldt, McFadden, Smith, Harper, Dassinger, James Moore, Driscoll, Dussault, Lynch, Scully, Seifert, Kimble, Kvaalen, Murphy, Stoltz: A bill for an act entitled: "An act providing that livestock encroaching on certain public highways may, after two warnings, subject the owner to a civil penalty, and providing for the exemption of Counties or parts of Counties from this act; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 104, introduced by Johnston, Barrett, Brand, Mular: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, to provide for preference in the issuance of special elk permits to applicants who did not receive a special elk permit for the previous season." Referred to Committee on Fish and Game.

House Bill No. 105, introduced by Johnston, Mular, Jack Moore, Brand, Travis, Menahan: A bill for an act entitled: "An act to amend Section 53-106.8, R.C.M. 1947, to replace the word 'Automobile' with 'Motor Vehicle'." Referred to Committee on Highway and Transportation.

House Bill No. 106, introduced by Fabrega, Jack Moore, Gilligan, Tropila, Fagg, (requested by Department of Revenue): A bill for an act entitled: "An act amending Section 84-4919, R.C.M. 1947, to allow taxpayers an automatic two month extension of time for filing income tax returns; to clarify existing provisions; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 107, introduced by Fabrega, Jack Moore, Fagg, (requested by Department of Revenue): A bill for an act entitled: "An act amending Sections 84-401, and 84-501, R.C.M. 1947, to provide that all taxable property must be assessed at forty percent of its full cash value and stating exceptions." Referred to Committee on Taxation.

House Bill No. 108, introduced by Kendall, Gwynn: A bill for an act entitled: "An act amending Section 82-1222, R.C.M. 1947, to authorize officers other than the State Fire Marshall to cause alteration, repair and demolition of dilapidated buildings; making the cost of such alteration, repair, or demolition a lien against the real estate in preference to prior incumbrances; and requiring payment of the proceeds of sale on foreclosure of the lien to be paid to the governmental body which ordered such alteration, repair or demolition." Referred to Committee on State Administration.

House Bill No. 109, introduced by McKittrick, Driscoll, Brand, Johnson, Tropila, Lynch, Mular, Harper, Helmbrecht, Quilici, Gunderson, Magone, Murphy, Hager, Shelden, Manuel, Yardley, Scully, Gilligan, Lester, O'Connell, Sloan, James Moore, Fishbaugh, Conroy, Johnston, Kummerfeldt, Kanduch, Halvorson, Bradley, Kemmis, Richards,

Bengtson, Gerke, Stoltz, Kimble, Dussault, Williams, Huennekens, Gwynn, Thomas, Kelly, McFadden, Wolfe, Day, Staigmiller, W. Baeth, R. Baeth, Dassinger, Lien, Lund, Holmes, Luebeck, Palmer, Finley: A bill for an act entitled: "An act to amend Section 87-104 to waive the four and one half percent (4 ½%) national 'on' and 'off' trigger for extended benefits and substituting four percent (4%) for the period January 1, 1975 through December 31, 1976 and to waive the one hundred and twenty percent (120%) factor of the state 'on' and 'off' trigger during the same period to avail the state of the one hundred percent (100%) reimbursement factor of federal law." Referred to Committee on Labor and Employment Relations.

House Bill No. 110, introduced by Brand, W. Baeth: A bill for an act entitled: "An act requiring the Attorney General to give written opinions within four (4) months to the governing body of any city or town upon any question of law relating to the offices of said governing body." Referred to Committee on Judiciary.

House Bill No. 111, introduced by Brand: A bill for an act entitled: "An act relating to the compensation of victims of motor vehicle accidents; requiring security by motor vehicle owners; providing for certain mandatory minimum insurance or self-insurance protection benefits payable regardless of fault in cases of personal injury; providing for a limitation of general damages; expanding uninsured motorists coverage, providing small claims arbitration and penalties for failure to show proof of security; providing for certain deductibles; providing for subrogation, intercompany arbitration, and offset of benefits paid against judgments; providing an assigned claims plan; providing penalties; repealing Sections 40-4403 and 53-418 through 53-458, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 112, introduced by Brand, Kanduch, Lynch, Kelly, Murphy, W. Baeth, O'Connell, Teague: A bill for an act entitled: "An act to raise the minimum salary of firefighters in cities and towns of the first and second class to seven hundred fifty dollars (\$750) per month and to delete the maximum of twenty (20) years for percentage increase by amending Section 11-1932, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 113, introduced by Dassinger, Yardley, Manuel, Jacobsen, Lien, Day, Robbins, Kummerfeldt, South, Bengtson: A bill for an act entitled: "An act providing for prepayment of taxes on certain major new industrial facilities." Referred to Committee on Taxation.

House Bill No. 114, introduced by Dassinger, Lien, Jacobsen, South, Bengtson, Manuel, Robbins, Day: A bill for an act entitled: "An act to exclude from class seven property tax classification any new industrial plant which employs a certain number of construction workers during its construction; amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Joint Resolution No. 11, introduced by James Moore, Gunderson, Harper, Lynch, Driscoll, McKittrick: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Auditor to conduct an investigation into State leasing for housing of Helena based offices and a cost analysis of the feasibility of expanding the present Capitol complex so that all Helena based State offices will be located in a single Capitol complex. Referred to Committee on State Administration.

Without objection, the Speaker referred House Bill No. 93 from the Committee on Fish and Game to the Committee on Natural Resources.

Without objection, the Speaker referred House Bill No. 83 from the Committee on Agriculture to the Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading under the rules of the previous sitting. Motion carried.

Lund in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 16, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 24 do pass. (93 - 0)

That House Bill No. 31 do pass. (87 - 7)

That House Joint Resolution No. 1 do pass. (91 - 0)

That House Joint Resolution No. 2 do pass. (91 - 2)

That the committee rise and report.

LUND, Chairman

Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 25 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Kelly. Total 1.

Absent or not voting: Bardanouve, Finley, Meloy, Wolfe. Total 4.

UNFINISHED BUSINESS

The Speaker appointed Representative Lien to the Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES

January 16, 1975

The following resolution will be signed on adjournment on January 16, 1975, in the office of the Speaker of the House of Representatives: Senate Joint Resolution No. 4.

Edwin A. Smith, Chief Clerk
House of Representatives

Driscoll moved that the House adjourn until 1:30 p.m., January 17, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TENTH LEGISLATIVE DAY

Helena, Montana
January 17, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church on the Hill.

Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Thomas, and Williams, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 16, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolutions considered correctly engrossed: House Bill No. 24, House Joint Resolution No. 1, House Joint Resolution No. 2.

QUILICI, Chairman

January 17, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 31.

QUILICI, Chairman

January 16, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly printed: House Joint Resolution No. 4.

QUILICI, Chairman

January 17, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution correctly printed: House Bill No. 30, House Joint Resolution No. 3.

QUILICI, Chairman

January 16, 1975

The following resolution was signed in the office of the Speaker of the House of Representatives on January 16, 1975: Senate Joint Resolution No. 4.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 9, respectfully report as follows: That House Bill No. 9, introduced reading, be amended as follows:

1. Amend page 1, section 1, subsection (2), line 12.

Strike: ", by himself"

2. Amend page 1, section 2, subsection (2)(c), line 21.

Insert: "(d) to retaliate against any employee who files a complaint with the commissioner under the provisions of this act, or

(e) to require that an employee take a mandatory maternity leave for an unreasonable length of time."

3. Amend page 2, section 2, subsection (3), lines 4 through 15.

Strike: this subsection in its entirety.

4. Amend page 2, section 3, line 24.

Strike: punctuation mark "."

Insert: "Within sixty (60) days of the receipt of a complaint the commissioner shall state his findings of fact and decision."

5. Amend page 4, line 2.

Strike: "1"

Insert: "6"

And, as amended, do pass.

KIMBLE, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 6, respectfully report as follows: That House Joint Resolution No. 6 do pass.

HUENNEKENS, Chairman

Report adopted.

January 16, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 do pass.

MENAHAN, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 do pass.

GERKE, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do pass.

GERKE, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 do pass.

HUENNEKENS, Chairman

Report adopted.

January 16, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do not pass.

MENAHAN, Chairman

January 16, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4, introduced reading (white), be amended as follows:

1. Amend page 2, Section 3, lines 13 through 19.
Strike: Section 3 in its entirety.

And, as amended, do pass.

MENAHAN, Chairman

Report adopted.

January 16, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29, introduced reading (white), be amended as follows:

1. Amend page 1, lines 20 through 25.
Strike: Subsection 2(a) and 2(b) in their entirety.
Insert: "Seven (7) persons, including at least two (2) persons holding professional qualifications in human or animal health service licensed by a board within a department of professional and occupational licenses, and persons not holding such qualifications who have demonstrated intelligent and active interest in the field of public health."

And, as amended, do pass.

MENAHAN, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 be amended in the introduced bill as follows:

1. Amend page 3, section 2, line 15.
Following: "parent"
Insert: "having legal custody, or if neither parent has legal custody the parent"
2. Amend page 3, section 2, subsection (c)
Strike: Subsection (c) in its entirety.

3. Amend page 4, section 2, subsection (b), line 19.

Following: "parent"

Insert: "having legal custody, or if neither parent has legal custody the parent"

4. Amend page 6, section 3, line 8.

Following: "parent"

Insert: "having legal custody, or if neither parent has legal custody the parent"

5. Amend page 8, section 4, line 2.

Following: "parent"

Insert: "having legal custody, or if neither parent has legal custody the parent"

And, as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 37, respectfully report as follows: That House Bill No. 37 be amended in the introduced bill as follows:

1. Amend page 2, line 2.

Following: "county"

Insert: "either by an interlocal cooperation agreement or by mutual consent by the governing bodies of the city and county"

And, as amended, do pass.

GERKE, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39, introduced copy, be amended as follows:

1. Amend the title, line 6.

Strike: the punctuation "."

Insert: "; and providing an effective date."

2. Amend page 2, after line 4.

Insert: new section 2 to read as follows: "Section 2. This act is effective on its passage and approval."

And, as amended, do pass.

KIMBLE, Chairman

Report adopted.

Objection raised by Murphy on adverse committee report on House Bill No. 17. Referred to Second Reading.

Objection raised by Kvaalen on adverse committee report on House Bill No. 46. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

January 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 40, introduced by Bardanouve

Respectfully yours,

JOHN N. HANSON,
Secretary of the Senate

January 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 16 introduced by Drake

Senate Bill No. 22 introduced by Drake

Respectfully yours,

JOHN N. HANSON,
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committee:

House Bill No. 115, introduced by Halvorson, Dassinger, Day: A bill for an act entitled: "An act revising the taxation of coal production; providing for a severance tax on coal produced at twenty percent (20%) of value before taxes; deleting coal from the provisions taxing the net proceeds of mines; providing for taxation of the gross proceeds from coal as an element in the property tax system; amending Sections 84-301, 84-302, and 84-5402, R.C.M. 1947; and repealing Sections 84-1301 through 84-1309, 84-1309.1, 84-1310, and 84-1311, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 116, introduced by Casey, Lund, Jacobsen: A bill for an act entitled: "An act to amend Sections 75-5902, 75-5907 and 75-5908, R.C.M. 1947, to increase the number of school trustees in a third class elementary district from three (3) to five (5) upon the unanimous vote of the Board of Trustees and provide for their election." Referred to Committee on Education.

House Bill No. 117, introduced by Kendall, Fagg: A bill for an act entitled: "An act removing the limitations on interest rates payable on issuance of bonds by municipalities; amending Sections 11-2304 and 11-2404, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 118, introduced by Lester, McKittrick: A bill for an act entitled: "An act amending Section 53-107, R.C.M. 1947, to establish the presumption that a motor vehicle is held in joint tenancy when the name of more than one person is listed as an owner on the certificate of title." Referred to Committee on Judiciary.

House Bill No. 119, introduced by Johnson, Palmer, Kemmis, Ellis,

Lory, Kimble, Dussault, Gould: A bill for an act entitled: "An act to appropriate one hundred thousand dollars (\$100,000) to fund a health study of certain potentially hazardous air pollution effects." Referred to Committee on Appropriations.

House Bill No. 120, introduced by Fagg, Mercer, Lockrem, Marks: A bill for an act entitled: "An act to amend Section 47-125, R.C.M. 1947, removing the ten percent (10%) limit on interest rates and repealing Section 47-126, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 121, introduced by Fagg, Fabrega, R. Baeth, Day: A bill for an act entitled: "An act requiring the registration of certain aircraft and imposing a license tax thereon in lieu of all other taxes." Referred to Committee on Taxation.

House Bill No. 122, introduced by Yardley (by request): A bill for an act entitled: "An act to amend Section 94-5-607, R.C.M. 1947, by including contributing to the delinquency of a youth as endangering welfare of children, providing increased penalties for second offense and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 123, introduced by Murphy, Dassinger: A bill for an act entitled: "An act amending Section 66-1027, R.C.M. 1947, to allow the Board of Medical Examiners to waive personal appearances before the board prior to issuing a license to practice medicine and surgery." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 124, introduced by Murphy, Dassinger: A bill for an act entitled: "An act amending Section 66-1038, R.C.M. 1947, to allow the Board of Medical Examiners to revoke or suspend a license to practice medicine and surgery when the holder of the license has had his license revoked or suspended by another jurisdiction." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 125, introduced by Yardley, Fagg (by request of the Department of Revenue): A bill for an act entitled: "An act to exempt moneys and credits from taxation by amending Sections 84-202 and 84-303, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 126, introduced by Fagg, Ellerd, Lockrem, Marks: A bill for an act entitled: "An act expanding the prohibition against corporate contributions to prevent such contributions in support of or in opposition to issues; permitting small business corporations, as defined in this act, to contribute to political campaigns; removing the prohibition against contributions by majority stockholders; amending Section 23-4744; and providing for a delayed effective date." Referred to Committee on Judiciary.

House Bill No. 127, introduced by Brand, Mular, Jack Moore, Fabrega: A bill for an act entitled: "An act extending the Vietnam veteran's bonus to any serviceman who served during the Vietnam war and who was totally disabled upon discharge; amending Section 77-2502, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 128, introduced by Brand, Mular, Jack Moore, Fabrega: A bill for an act entitled: "An act changing Memorial Day from the last Monday in May to May 30; amending Section 19-107, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 129, introduced by Brand, Menahan: A bill for an act entitled: "An act declaring certain practices of odoriferous establishments

such as feed lots and egg farms to be public nuisances." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 130, introduced by Brand, Fagg: A bill for an act entitled: "An act clarifying the distinction between mobile homes taxed as personal property and mobile homes taxed as improvements; amending Sections 84-101, 84-6601, and 84-6604, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 131, introduced by Harper: A bill for an act entitled: "An act to appropriate funds for an investigation of beef pricing practices in Montana." Referred to Committee on Appropriations.

House Bill No. 132, introduced by Holmes, Driscoll, Kimble, Travis, Vincent, Palmer, Sloan, Federico, Dussault: A bill for an act entitled: "An act to amend Section 71-210, R.C.M. 1947, to require timely payment to certain recipients of grants and other monies from the Department of Social and Rehabilitation Services." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 133, introduced by South: A bill for an act entitled: "An act to require counties within designated mental health regions to participate in regional mental health centers; amending Section 80-2407, R.C.M. 1947." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 134, introduced by James Moore, Scully: A bill for an act entitled: "An act to amend Section 32-2142.1, R.C.M. 1947, to create a presumption of intoxication and to remove the power of the Montana Highway Patrol Board to suspend a driver's license." Referred to Committee on Judiciary.

House Bill No. 135, introduced by Lockrem, Marks: A bill for an act entitled: "An act appropriating nine hundred ninety-eight thousand two hundred fifty-two dollars and eleven cents (\$998,252.11) to the Department of Justice, Office of the Attorney General, to cover costs which have been and will be incurred in the investigation and prosecution of Workmen's Compensation Division related matters." Referred to Committee on Appropriations.

House Bill No. 136, introduced by Barrett, Gunderson, Lockrem, Marks, Stoltz, Lien, Scully, Guthrie, C. R. Anderson, Babcock, Menahan, Murphy: A bill for an act entitled: "An act amending Section 75-7104, R.C.M. 1947, to raise the maximum amount for which each school district may become indebted by the issuance of bonds." Referred to Committee on Education.

House Bill No. 137, introduced by Yardley (by request): A bill for an act entitled: "An act to require the county governing body to establish a schedule of compensation for officers and employees of county government; repealing Sections 25-602, 25-603, 25-604, 25-605, 25-608, 25-609.1, 25-610, 25-611, and 25-611.1, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 138, introduced by Yardley (by request): A bill for an act entitled: "An act to amend Section 16-912, R.C.M. 1947, to provide salary guidelines for members of the county governing body; increasing the mileage allowance to fifteen cents (\$.15) per mile; and providing a method of expense reimbursement." Referred to Committee on Local Government.

House Bill No. 139, introduced by Day, Wood, Wyrick: A bill for an act entitled: "An act appropriating money to the Department of Fish and Game for acquisition and development at Makoshika State Park in Dawson County, Montana." Referred to Committee on Fish and Game.

House Bill No. 140, introduced by Lory, Dussault: A bill for an act entitled: "An act to amend Section 25-226, R.C.M. 1947, to increase the fees and mileage payable to the Sheriff for service of Process." Referred to Committee on Local Government.

House Bill No. 141, introduced by Meloy, Richards, Marks, Bertelsen, Staigmilller, Babcock, Rasmussen: A bill for an act entitled: "An act appropriating money to the Department of Administration for the purpose of reimbursing Lewis and Clark County for the costs of a Grand Jury and providing an immediate effective date." Referred to Committee on Appropriations.

House Bill No. 142, introduced by Lynch, Bardanoue: A bill for an act entitled: "An act to amend Section 68-1602, R.C.M. 1947, to provide that those persons employed by the Legislature during the Legislative Session only may elect whether or not to become members of the Public Employees Retirement System." Referred to Committee on Legislative Administration.

House Bill No. 143, introduced by Kemmis, Palmer, Gunderson, Meloy, Huennekens, Johnson: A bill for an act entitled: "An act to provide for and to regulate interim municipal zoning regulations." Referred to Committee on Local Government.

House Bill No. 144, introduced by Johnson, Ellis, Palmer, Federico, Lory, Dussault, Bengtson, Mular, Brand, Holmes, Halvorson, Kemmis, Kimble, Harper, Menahan, Helmbrecht: A bill for an act entitled: "An act amending Section 84-202, R.C.M. 1947, to exempt from taxation property used for religious and related purposes." Referred to Committee on Taxation.

House Bill No. 145, introduced by Gunderson, Thomas, C. R. Anderson: A bill for an act entitled: "An act to create an advisory council for statewide post-secondary education planning in Montana so that the state may receive federal funds to support statewide planning." Referred to Committee on Education.

House Bill No. 146, introduced by Bradley, Kimble, Huennekens, Vincent, Finley: A bill for an act entitled: "An act appropriating one hundred thousand dollars (\$100,000) from the General Fund to create a corporate responsibility task force." Referred to Committee on Appropriations.

House Bill No. 147, introduced by W. Baeth, McKittrick, Gilligan: A bill for an act entitled: "An act amending Section 87-145, R.C.M. 1947, to permit recoupment by offset of payments made to fraudulent claimants." Referred to Committee on Labor and Employment Relations.

House Bill No. 148, introduced by Bertelson, Aageson, Kropp, Johnston: A bill for an act entitled: "An act to provide a procedure for recall of state officers and legislators." Referred to Committee on Judiciary.

House Bill No. 149, introduced by Seifert, Lockrem, Jack Moore, Fabrega: A bill for an act entitled: "An act to amend Sections 48-143, 48-146, and 48-149, R.C.M. 1947, relating to the age, residence, and notice requirements for the issuance of marriage licenses; and repealing Sections 48-118.1 and 48-145, R.C.M. 1947." Referred to Committee on State Administration.

House Joint Resolution No. 12, introduced by Magone, Kanduch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Highways to develop and

implement a plan to inform motorists on frontage roads to dim their lights when approaching a vehicle traveling on an adjacent interstate highway or to emplace light screens along the highway. Referred to Committee on Highways and Transportation.

House Joint Resolution No. 13, introduced by Bengtson, Brand, Fleming, Mular, Williams, Gunderson, Conroy, Finley: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the U. S. Department of Agriculture to reestablish the program of cost-sharing for lining of irrigation systems. Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 16, introduced by Drake: A bill for an act entitled: "An act providing that citation of "R.C.M. 1947" following a section number is not necessary in order to refer to a section of these codes." Referred to Committee on Judiciary.

Senate Bill No. 22, introduced by Drake: A bill for an act entitled: "An act to extend the authority of the legal services division of the Legislative Council to assign code section numbers and catch lines; amending Section 2, Chapter 30, Laws of 1974." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Manuel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 17, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 4 do pass. (68-29)

That the committee rise and report.

MANUEL, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

January 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38, introduced (white), be amended as follows:

1. Amend page 2, section 4, subsection (1), lines 11 through 13.

Strike: subsection (1) in its entirety, following disclosure,

Insert: In assuring that the right of individual privacy so essential to the well-being of a free society shall not be infringed without the showing of a compelling state interest, the following public records of the division are exempt from disclosure:

And, as amended, do pass.

KIMBLE, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 8, respectfully report as follows: That House Joint Resolution No. 8 do pass.

SHELDEN, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36 do pass.

SHELDEN, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 24 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Gunderson. Total 1.

Excused: Brand, Thomas, Williams. Total 3.

Absent or not voting: Rasmussen, Scully. Total 2.

House Joint Resolution No. 1 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Brand, Thomas, Williams. Total 3.

Absent or not voting: Gould, Scully, Wood. Total 3.

House Joint Resolution No. 2 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Babcock, Guthrie, Mercer. Total 3.

Excused: Brand, Thomas, Williams. Total 3.

Absent or not voting: Scully, Wood. Total 2.

Driscoll moved that the House adjourn until 9:00 a.m., January 18, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

ELEVENTH LEGISLATIVE DAY

Helena, Montana
January 18, 1975

House Chambers
Capitol Building

House convened at 9:00 a.m. Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Menahan, Kanduch, Thomas, Gunderson, Fishbaugh, and Richards, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Tenth Legislative Day, find the same to be correct.

JOHNSTON, Vice Chairman

REPORTS OF STANDING COMMITTEES

January 17, 1975

I have examined House Bill No. 40 introduced by me and find the same to be correct.

BARDANOUE

January 18, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 40.

JOHNSTON, Vice Chairman

January 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 37, House Bill No. 38.

JOHNSTON, Vice Chairman

January 17, 1975

Mr. Speaker: The Committee on Bills and Resolutions reports the following bills correctly printed: House Bill No. 4, House Bill No. 17, House Bill No. 28, House Bill No. 34, House Bill No. 35, House Bill No. 36, House Bill No. 46, and House Bill No. 70. House Joint Resolution No. 6, and House Joint Resolution No. 8.

JOHNSTON, Vice Chairman

January 17, 1975

Mr. Speaker: The Committee on Bills and Resolutions reports the following House Joint Resolution considered correctly engrossed: House Joint Resolution No. 4.

JOHNSTON, Vice Chairman

January 18, 1975

The following bill will be signed on adjournment on January 18, 1975,

in the office of the Speaker of the House of Representatives: House Bill No. 40.

Edwin A. Smith, Chief Clerk
House of Representatives

January 16, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 do pass.

BRAND, Chairman

Report adopted.

January 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 5, respectfully report as follows: That House Joint Resolution No. 5 be amended, the third reading version, as follows:

1. Amend: Page 2, line 5.

Following: "a"

Strike: "five"

Insert: "seven"

2. Amend: Page 2, line 6.

Following: "percent"

Strike: "(5%)"

Insert: "(7%)"

3. Amend: Page 2, line 13.

Strike: "4.10"

Insert: "4.20"

4. Amend: Page 4, line 2.

Strike: "4.05"

Insert: "4.15"

5. Amend: Page 4, line 3.

Strike: "4.05"

Insert: "4.15"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

January 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read three several times, and passed, title and history agreed to, and the said resolution is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 2 introduced by Mathers.

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

MOTIONS

Gilligan moved that House Bill No. 17 be removed from Second Reading and be referred to the Committee on Judiciary.

Motion carried.

Driscoll moved that debate on any bill on Second Reading by any member be limited to one speech for five minutes except for the sponsor who may open and close.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committee:

House Bill No. 150, introduced by R. Baeth, Manuel, W. Baeth, James Moore, Kendall, Magone, Halvorson, Kropp: A bill for an act entitled: "An act amending Section 1-904, R.C.M. 1947, to set the minimum number of commissioners to be appointed by a municipal or regional airport authority at five." Referred to Committee on Local Government.

House Bill No. 151, introduced by R. Baeth, Manuel, W. Baeth, James Moore, Kendall, Magone, Halvorson, Kropp: A bill for an act entitled: "An act amending Section 1-906, R.C.M. 1947, to allow the use of sinking funds for the use, repairs, maintenance, and capital outlays of airports." Referred to Committee on Local Government.

House Bill No. 152, introduced by Johnston, Mular, Menahan, Travis, Hager, Lund, Jack Moore: A bill for an act entitled: "An act to exempt salaries of resident military persons from the State income tax." Referred to Committee on Taxation.

House Bill No. 153, introduced by Bardanouve, Meloy, Fagg, Menahan, Bradley, Quilici, Gunderson, Vincent, Huennekens, Finley, Halvorson, Dussault, Lester: A bill for an act entitled: "An act to provide for the protection and enhancement of shoreland areas; county zoning; assistance by the Department of Natural Resources and Conservation; zoning by that department upon default by a county." Referred to Committee on Natural Resources.

House Bill No. 154, introduced by Bardanouve, Mercer, Bradley: A bill for an act entitled: "An act providing for the licensing and regulations of persons in Montana representing themselves as speech pathologists, audiologists, speech pathology or audiology aides, and provisionally certified speech pathologists or audiologists, and creating a Board of Speech Pathology and Audiology, prescribing its powers and duties; providing penalties for violations; and amending Section 93-701-4, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 155, introduced by Yardley, Fagg: A bill for an act entitled: "An act establishing policies and procedures for contracting professional services by the state; prohibiting the payment of contingent fees for professional services contracts; providing penalties; and repealing Section 82-3319, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 156, introduced by Mular, Harper, Kelly, Gilligan: A bill for an act entitled: "An act relating to labor relations; permitting concerted activities against secondary employers who are parties to mutual aid pacts or similar arrangements." Referred to Committee on Labor and Employment Relations.

House Bill No. 157, introduced by Mular, Johnston, Kelly, Luebeck, Tropila, Scully, Lester, Gilligan, Sloan, Wolfe, Kanduch, Finley, Baeth, Teague (by request): A bill for an act entitled: "An act to declare the mourning dove a migratory game bird, amending Section 26-201, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 158, introduced by Hager: A bill for an act entitled: "An act amending Section 53-148, R.C.M. 1947, to extend the privilege of purchasing personalized license plates to light trucks." Referred to Committee on Highways and Transportation.

House Bill No. 159, introduced by James Moore, Sloan, Murphy, Mular, O'Connell, Halvorson: A bill for an act entitled: "An act amending Section 53-129, R.C.M. 1947, to provide a ninety day grace period for the registration of foreign registered vehicles by an owner or user gainfully employed in the State of Montana." Referred to Committee on Highways and Transportation.

House Bill No. 160, introduced by Kimble, Bradley, Fagg, Sloan, Dussault: A bill for an act entitled: "An act to create a Montana Bike Paths Commission; and appropriating funds for expenses incurred by the Commission in the discharge of its duties." Referred to Committee on Highways and Transportation.

House Bill No. 161, introduced by Kimble, Bradley, Fagg, Sloan, Dussault: A bill for an act entitled: "An act to be known as the Montana Traffic Safety Act of 1975; providing for the construction of footpaths and bicycle trails along highways." Referred to Committee on Highways and Transportation.

House Bill No. 162, introduced by Kimble (by request): A bill for an act entitled: "An act amending Section 95-2404, R.C.M. 1947, to permit an appeal by a defendant before final judgment of conviction where the validity of a search and seizure has been upheld by the district court." Referred to Committee on Judiciary.

House Bill No. 163, introduced by Menahan (by request of Labor and Industry): A bill for an act entitled: "An act amending Section 41-1301, R.C.M. 1947, relating to payment of wages by deleting 'The State of Montana or any legal subdivision thereof.'" Referred to Committee on Labor and Employment Relations.

House Bill No. 164, introduced by Menahan (by request of Department of Labor and Industry): A bill for an act entitled: "An act amending Section 41-1605, R.C.M. 1947, authorizing the Commissioner of Labor to investigate labor violations and institute proceedings to enforce labor laws." Referred to Committee on Labor and Employment Relations.

House Bill No. 165, introduced by Huennekens, Luebeck, Sloan, Vincent: A bill for an act entitled: "An act providing for the retention of Montana public lands in state ownership; amending Section 81-908, R.C.M. 1947; and providing an effective date." Referred to Committee on State Administration.

House Joint Resolution No. 14, introduced by Halvorson, Kendall, Finley: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Department of Administration to proceed with dispatch in implementing and enforcing the building code for mobile homes. Referred to Committee on Business and Industry.

House Joint Resolution No. 15, introduced by Bardanouve: A Joint Resolution of the Senate and the House of Representatives of the State of

Montana requesting the Departments of Natural Resources and Justice to make a comprehensive study of Montana's fire protection laws. Referred to Committee on Natural Resources.

Senate Joint Resolution No. 2, introduced by Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana commending the nursing homes and hospitals which accepted residents of Boulder River School and Hospital during the 1974 evacuation. Referred to Committee on State Administration.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Barrett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 18, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 28 be placed at the bottom of the board.

That House Bill No. 30 do pass. (93-0)

Richards and Menahan present at this time.

That House Bill No. 34 be amended as follows:

1. Amend page 3, Section 2, lines 20 and 21.

Reinstate the stricken words: "three times the amount of" (80-12)

And as amended, be passed for the day.

That House Bill No. 35 do pass. (85-10)

That House Bill No. 36 be passed for the day.

That House Bill No. 46 be amended as follows:

1. Amend page 2, section 1, line 11.

Strike: five (5) years

Insert: one hundred and eighty (180) days (58-13)

And as amended, do pass. (52-39)

That House Bill No. 70 do pass. (95-0)

That House Joint Resolution 3 be amended as follows:

1. Amend title, page 1, line 7.

Strike: "province"

Insert: "provinces"

2. Amend title, page 1, line 8.

Following: "British Columbia"

Insert: "Alberta and Saskatchewan"

3. Amend title, page 1, line 12.

Following: "river"

Insert: ", the Poplar River, and the area of Montana South of the Estevan, Saskatchewan Project,"

4. Amend title, page 1, line 13.

Following: "river"

Insert: "and other rivers," (90-0)

And be further amended as follows:

1. Amend page 2, line 20.

Following: "river"

Insert: "and other river"

2. Amend page 2, line 20.

Following: "river"

Strike: "drainage"

Insert: "drainages"

3. Amend page 2, line 23.

Following: "river"

Insert: "and other rivers" (91-0)

And as amended, do pass. (93-0)

That House Joint Resolution No. 6 do pass. (89-0)

Fishbaugh present at this time.

That House Joint Resolution No. 8 do pass. (75-16)

That House Bill No. 28 be passed for the day.

That the Committee rise and report and beg leave to sit again.

BARRETT, Chairman

Report adopted.

MOTIONS

Lockrem moved that the House reconsider its action on House Bill No. 36 passing consideration for the day.

Motion carried.

Lockrem moved that House Bill No. 36 be taken from Second Reading and referred to the Committee on Rules.

Motion carried.

Meloy moved that the House reconsider its action on House Bill No. 34 passing consideration for the day and the bill be placed on Second Reading this day.

Motion carried.

Driscoll moved that the House recess subject to the call of the Chair.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 18, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration the appeal by Representative Menahan concerning House Bill No. 36, respectfully report as follows: That the Rules Committee will sustain

the rule of the Chair that the amendment was in violation of the bill's original purpose and therefore, his appeal is in violation of Joint Rule No. 6-15 of this 44th Legislative Session.

Do pass.

DRISCOLL, Chairman

Report adopted.

MOTIONS

James Moore moved that House Bill No. 46 be taken from engrossing and be rereferred to the Committee on Judiciary.

Motion carried.

Driscoll moved that the rules be temporarily suspended and House Bill No. 36 be placed on Second Reading this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Barrett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 18, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 34 be amended as follows:

1. Amend page 3, section 2, lines 20 and 21.
Reinstate: "three times the amount of" (75-9)

And as amended, do not pass. (58-28)

That House Bill No. 36 do pass. (78-10)

That the Committee rise and report.

BARRETT, Chairman

Report adopted.

THIRD READING OF BILLS

The following bill and joint resolution having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 31 was passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden,

Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Hager, Mercer, Kvaalen. Total 3.

Excused: Brand, Gunderson, Kanduch, Thomas. Total 4.

Absent or not voting: Aageson, Ellerd, Lockrem, Scully, Shelden, Smith, Wolfe, Bardanouve. Total 8.

House Joint Resolution No. 4 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Sloan, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Yardley, Mr. Speaker. Total 66.

Noes: C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Ellison, Fabrega, Gould, Guthrie, Hubing, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Schye, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 24.

Excused: Brand, Gunderson, Kanduch, Thomas. Total 4.

Absent or not voting: Aageson, Ellerd, Mular, Scully, Shelden, Wolfe. Total 6.

Driscoll moved that the House adjourn until 1:30 p.m., January 20, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWELFTH LEGISLATIVE DAY

Helena, Montana
January 20, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fishbaugh, Gerke, Lund, Mercer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eleventh Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 18, 1975

The following bill was signed in the office of the Speaker of the House of Representatives on adjournment, January 18, 1975: House Bill No. 40.

Edwin A. Smith, Chief Clerk
House of Representatives

January 18, 1975

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 40, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 12:10 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

January 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions considered correctly engrossed: House Bill No. 30, House Bill No. 35, House Bill No. 36, House Bill No. 70, House Joint Resolution No. 6, and House Joint Resolution No. 8.

January 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bill No. 5, House Bill No. 29, House Bill No. 39, House Bill No. 49, House Joint Resolution No. 5.

QUILICI, Chairman

January 6, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Forty-fourth Legislative Assembly:

Edwin A. Smith.....Chief Clerk
Martha B. McGeeAssistant Chief Clerk

Carol Williams	Secretary to Chief Clerk
Bea Burr	Secretary to Assistant Chief Clerk
Kathy Fuller	Stenographer
Edmund F. Sheehy, Jr.	Reading Clerk
Pat Tyanich	Bills Clerk
Diann Fradette	Assistant Bill Clerk
Linda Barrett	Journal Clerk
Betty Wing	Assistant Journal Clerk
Shaun Devine	Bill Coordinator
Denise Durfee	Assistant Bill Coordinator
Robert Stephens	Sergeant-at-Arms
Clyde J. Neu	Assistant Sergeant-at-Arms
Stephen J. Carney	Assistant Sergeant-at-Arms
Danny Oberg	Assistant Sergeant-at-Arms
Father O'Donnell	Chaplain
Virginia Lee Broughton	Secretary to Speaker of House
Bobbie Murphy	Secretary to Majority Leader
Mel McGuinn	Secretary to Minority Leader
Diane Danichek	Assistant Legislative Business Manager
Wanda Gough	Chief Stenographer
Marian Vickie Kroll	Assistant Chief Stenographer
Debbie Schara	Committee Secretary
Thelma Fleming	Committee Secretary
Zorka DaSilva	Committee Secretary
Patricia Romine	Committee Secretary
Mary Connelly	Committee Secretary
Pat Bauernfeind	Committee Secretary
Gloria Wong	Committee Secretary
Yvonne Borgmann	Committee Secretary
Emelia Satre	Committee Secretary
Laurie Peterson	Committee Secretary
Josephine Lahti	Committee Secretary
Ellen Peterson	Committee Secretary
Anna Alstad	Committee Secretary
Julie Applebury	Committee Secretary
Maxine McFarland	Committee Secretary
Nancy Lee Mazurek	Stenographer
Laurie Levitan	Stenographer
Gladys Carpenter	Stenographer
Margo Voermans	Stenographer
Leroy Broughton	Assistant Sergeant-at-Arms
Thomas Binsted	Researcher
Ken Porter	Researcher
James S. Erickson	Researcher
Susan Roy	Researcher
Jane Shoquist	Proofreader
Helen Mahoney	Proofreader
Karen Barclay	Proofreader
Candy Brown	Proofreader
Pat Murry	Proofreader

LYNCH, Chairman

Report adopted.

January 20, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Forty-fourth Legislative Session at the beginning of business January 6, 1975:

Gail L. Smith	Page
Noreen M. Burris	Page
Steven M. Elliot	Page
Julie Billings	Page
Iola Codenys	Page
Hal Hanson	Page

At the beginning of business January 13, 1975, the following also be employed:

Rhonda McFarland	Page
Patricia Elich	Page
Renee Lefebvre	Page
Michelle Williams	Page

At the close of business January 11, 1975, the following be terminated:

Gail L. Smith	Page
Noreen M. Burris	Page
Steven M. Elliot	Page
Julie Billings	Page
Iola Codenys	Page
Hal Hanson	Page

At the close of business January 18, 1975, the following also be terminated:

Rhonda McFarland	Page
Patricia Elich	Page
Renee Lefebvre	Page
Michelle Williams	Page

The following be employed by the House of Representatives for the Forty-fourth Legislative Session at the beginning of business January 6, 1975:

Dave W. Schuler	Page
Martha R. Rehbein	Page

At the beginning of business January 15, 1975, the following also be employed:

Shaun Harrington	Page
Bernie Jo Harrington	Page

LYNCH, Chairman

Report adopted.

January 20, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do pass.

HUENNEKENS, Chairman

Report adopted.

January 20, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 do not pass.

HUENNEKENS, Chairman

January 20, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do not pass.

STAIGMILLER, Vice Chairman

In accordance with the 24 hour rule the adverse committee report on House Bill No. 12 was adopted by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Huennekens, Jacobsen, Teague. Total 3.

MESSAGES FROM THE GOVERNOR

January 18, 1975

The Honorable Pat McKittrick
Speaker of the House
of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bill No. 40.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Conroy moved that House Bill No. 35 be taken from engrossing and be rereferred to the Committee on Taxation.

Motion carried.

Kendall moved that the House reconsider its action of the previous day on House Bill No. 34.

Hager requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Brand, Casey, Dassinger, Day, Dussault, Ellison, Fagg, Federico, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lynch, Magone, Manuel, Marks, Menahan, James Moore, O'Connell, Rasmussen, Robbins, Schye, Shelden, Sloan, South, Teague, Williams, Wolfe, Wood, Wyrick, Yardley. Total 52.

Noes: C. R. Anderson, J. Anderson, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Driscoll, Ellerd, Ellis, Fabrega, Finley, Gould, Guthrie, Harper, Holmes, Hubing, Huennekens, Jacobsen, Kemmis, Kropp, Lockrem, Lory, Luebeck, McFadden, Meloy, Jack Moore, Mular, Murphy, Palmer, Richards, Scully, Seifert, Sivertsen, Smith, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Mr. Speaker. Total 43.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Quilici. Total 1.

Kendall moved that House Bill No. 34 be rereferred to the Committee on Judiciary.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committee:

House Bill No. 166, introduced by Halvorson, James Moore, Finley, R. Baeth, Fagg, Harper: A bill for an act entitled: "An act adopting certain provisions from federal estate tax law regarding the taxability of jointly held property and marital exemptions; amending Section 91-4405, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 167, introduced by Lynch, Quilici, Menahan, Luebeck, McKittrick, Harper, Kimble, Driscoll, Meloy, Huennekens, Kelly, Mular, Helmbrecht: A bill for an act entitled: "An act to prohibit the employment of professional strikebreakers in a labor dispute and to limit the right to recruit employees to replace employees involved in a labor dispute." Referred to Committee on Labor and Employment Relations.

House Bill No. 168, introduced by Marks, Barrett, Menahan, Scully: A bill for an act entitled: "An act amending Section 75-7104, R.C.M. 1947, to raise the maximum amount of bonded indebtedness that may be incurred by a second or third class school district." Referred to Committee on Education.

House Bill No. 169, introduced by Robbins, McFadden, Day: A bill for an act entitled: "An act to repeal the provisions requiring licensing of television translator and booster broadcasting systems by repealing Sections 70-401 through 70-407, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 170, introduced by Federico: A bill for an act entitled: "An act repealing Section 94-8-110.2, R.C.M. 1947, relating to the sale and advertising of contraceptive drugs or devices." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 171, introduced by Federico: A bill for an act entitled: "An act to legalize prostitution outside of incorporated cities and towns; providing for its licensing and regulations; defining pandering; providing penalties; and repealing Sections 94-5-602 and 94-5-603, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 172, introduced by Federico, Travis, Kimble: A bill for an act entitled: "An act granting leaves of absence to employees for cultural, religious, or ceremonial reasons." Referred to Committee on Labor and Employment Relations.

House Bill No. 173, introduced by Federico: A bill for an act entitled: "An act to amend Sections 87-104 through 87-105, 87-107, 87-108, 87-111 through 87-114, 87-116, 87-118, 87-120 through 87-136, 87-138 through 87-140, 87-142, 87-145 through 87-147, 87-149, R.C.M. 1947; by changing the word 'Commission' to the word 'Division'; by adding definitions; by substituting the words 'Board of Labor Appeals' in conformity with the Executive Reorganization Act of 1971; and repealing Sections 87-115, 87-117, 87-118, 87-119, 87-125, and 87-126, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 174, introduced by Lockrem, Driscoll: A bill for an act entitled: "An act to provide a state income tax credit to doctors and dentists who practice in Montana cities or towns with less than 10,000 population." Referred to Committee on Taxation.

House Bill No. 175, introduced by Magone, W. Baeth: A bill for an act entitled: "An act to amend Section 87-136, R.C.M. 1947, by changing the word 'commission' to 'division' and by changing the words 'Chairman of the Commission' to 'Administrator' and by providing for withholding final payment by contractors to subcontractors until the subcontractors have either paid contributions due the Employment Security Division, Montana State Department of Labor and Industry or until a bond is furnished to and acceptable by the Administrator of the Division." Referred to Committee on Business and Industry.

House Bill No. 176, introduced by Gerke, McKittrick, Driscoll, Meloy, Fagg, Williams, Kendall, Lockrem, Marks, South, Gwynn, Bradley, Hager, Holmes, Bardanoue, O'Connell: A bill for an act entitled: "An act to authorize alternative forms of local government partially implementing Article XI, Sections 3 and 5 of the 1972 Montana Constitution and providing for a delayed effective date." Referred to Committee on Local Government.

House Bill No. 177, introduced by Gerke, Lockrem, Marks, South, Driscoll, Fagg, Gwynn, Williams, Kendall, Bardanoue, Bradley, Hager, Holmes, McKittrick: A bill for an act entitled: "An act to further implement Article XI, Sections 3, 5, 6, and 9 of the 1972 Montana Constitution by providing procedures by which local government study commissions may formulate recommendations and submit recommendations to the voters; providing for an immediate effective date; providing a termination date; and amending Sections 16-5102, 16-5105, and 16-5113, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 178, introduced by South, Gwynn, Meloy, Driscoll, Gerke, Marks, McKittrick, Lockrem, Kendall, Holmes: A bill for an act entitled: "An act to create a new title in the Revised Codes of Montana dealing with local government." Referred to Committee on Local Government.

House Bill No. 179, introduced by South, Gwynn, Meloy, Driscoll, Gerke, Marks, McKittrick, Lockrem, Kendall, Holmes: A bill for an act entitled: "An act establishing the powers and limitations thereon of those local government units which adopt the self-government powers authorized by Article XI, Section 6 of the Montana Constitution and providing for a delayed effective date." Referred to Committee on Local Government.

House Bill No. 180, introduced by South, Gwynn, Meloy, Driscoll, Gerke, Marks, McKittrick, Lockrem, Kendall, Holmes: A bill for an act entitled: "An act to establish limitations on the amount of indebtedness which may be incurred by City-County Consolidated Local Governments." Referred to Committee on Local Government.

House Bill No. 181, introduced by Teague, Vincent (requested by Department of Revenue): A bill for an act entitled: "An act to require that State and National Banks shall report the value of bank shares according to the accounting system used, and prohibiting any bank which utilizes a full accrual accounting system from converting to a cash basis when reporting the value of bank shares for ad valorem tax purposes." Referred to Committee on Taxation.

House Bill No. 182, introduced by Teague, Vincent (requested by Department of Revenue): A bill for an act entitled: "An act to establish an audit fee as a charge against the County General Fund for audit services rendered by the Department of Revenue in determining the taxable value of net proceeds, bank shares, inventories, and other types of property subject to ad valorem taxation." Referred to Committee on Taxation.

House Bill No. 183, introduced by C. R. Anderson, J. Anderson, R. Barrett, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Guthrie, Gwynn, Hageman, Halvorson, Hubing, Huennekens, Jacobsen, Johnston, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lockrem, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Stoltz, Teague, Underdal, Wolfe, Wood, Yardley, McKittrick, Vincent, Harper: A bill for an act entitled: "An act creating a Montana Code Commission to supervise the recodification of the Revised Codes of Montana 1947, to provide for recodification on a continuing basis; repealing Sections 12-301 through 12-329, 12-331, 12-332, and 12-332.1 R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 184, introduced by Lien, Smith, Kummerfeldt, Huennekens, Casey (by request of State Lands): A bill for an act entitled: "An act to authorize the Board of Land Commissioners to exchange state land for private land subject to certain requirements." Referred to Committee on State Administration.

House Bill No. 185, introduced by Lien (requested by Department of Revenue): A bill for an act entitled: "An act to replace County Assessor with the Board of Television Trustees as the party responsible for preparing a list of all television owners within a television district; amending Section 70-418, R.C.M. 1947; and repealing Section 70-417, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 186, introduced by Huennekens, Vincent, Harper: A bill for an act entitled: "An act requiring disclosure of information relating to contaminants by dischargers of critical materials into the air, water, or environment of the State and providing for penalties for violation of the act." Referred to Committee on Natural Resources.

House Bill No. 187, introduced by Jack Moore (requested by Department of Professional Licensing): A bill for an act entitled: "An act to amend Section 67-2118, R.C.M. 1947 to provide that the Board of Real Estate may charge more than five hundred dollars (\$500) for an application for registration of subdivided lands if expenses of the Board exceed that amount." Referred to Committee on State Administration.

House Bill No. 188, introduced by Jack Moore (requested by Department of Professional Licensing): A bill for an act entitled: "An act to provide for the licensing and regulation of rental location agents; and providing penalties." Referred to Committee on State Administration.

House Bill No. 189, introduced by Jack Moore (requested by Department of Professional Licensing): A bill for an act entitled: "An act providing for the licensing and regulation of Real Property Managers; and amending Sections 66-1925 and 66-1926, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 190, introduced by Lund, Casey: A bill for an act entitled: "An act to amend Sections 59-519 and 59-520, R.C.M. 1947, to allow school boards to appoint school personnel within one degree of consanguinity and affinity." Referred to Committee on Education.

House Bill No. 191, introduced by Murphy, Teague, Dassinger, Travis, Finley, Bengtson, Harper, Lynch, Tropila, Lester, Scully, McKittrick, Driscoll, Menahan, Gilligan, Quilici, Fleming, Sloan, Dussault, Johnson, Mular: A bill for an act entitled: "An act appropriating money to the Montana Arts Council for a statue or bust of the late Burton K. Wheeler, to be placed in the State Capitol." Referred to Committee on Appropriations.

House Bill No. 192, introduced by W. Baeth, Gwynn: A bill for an act entitled: "An act authorizing Local Government units to charge tax exempt entities for services supplied for the benefit of said entities." Referred to Committee on Taxation.

House Bill No. 193, introduced by Mular, Menahan: A bill for an act entitled: "An act appropriating one hundred thousand dollars (\$100,000) to the Departments of Natural Resources and Justice to study the fire laws of this State." Referred to Committee on Appropriations.

House Joint Resolution No. 16, introduced by Travis: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Public Service Commission to require telephone companies to list both the husband's and wife's names in a single listing for no additional charge. Referred to Committee on State Administration.

House Joint Resolution No. 17 introduced by Vincent, Richards: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on priorities to assign the appropriate standing committee to study the feasibility of various programs by which the State of Montana might preserve and protect prime agricultural and recreational lands. Referred to Committee on Rules.

House Joint Resolution No. 18, introduced by Gould, Ellis, Schye, Johnston, Hager, Kropp, Underdal, Sivertsen, Asher, Hubing, Johnson, W. Baeth, Bertelsen, Menahan, J. Anderson, Day, Seifert, Lester: A Joint Resolution of the Senate and the House of Representatives of the State of Montana adamantly opposing any increase in the federal gasoline tax or oil import duty. Referred to Committee on Taxation.

House Joint Resolution No. 19, introduced by Teague, Hager, Travis: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing an amendment to rule 42-2.22 (2)-S22030 of the Montana Administrative Code by the Department of Revenue, regarding the assessment of mobile homes. Referred to Committee on Taxation.

House Joint Resolution No. 20, introduced by Teague, Harper, Vincent, Tropila, Lynch, Murphy, Travis, O'Connell, Mular, Halvorson, Gilligan,

Thomas: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Congress of the United States to amend the Emergency Highway Energy Conservation Act to allow a maximum speed of sixty-five (65) miles per hour in certain cases. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Shelden in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 20, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 28 do pass. (95-0)

That House Bill No. 4 be placed at the bottom of the board.

That House Bill No. 37 do pass. (94-0)

That House Bill No. 38 be amended as follows:

1. Amend title, page 1, line 7.

Following: "repealing"

Strike: "section"

Insert: "sections"

2. Amend title, page 1, line 8.

Following: "92-809,"

Insert: "92-1348" (91-0)

And be further amended:

1. Amend page 3, section 5, line 10.

Following: "section 5."

Strike: "Section"

Insert: "Sections"

2. Amend page 3, section 5, line 10.

Following: "92-809"

Insert: "92-1348" (92-0)

And as amended, do pass. (96-0)

That House Bill No. 4 be passed for the day.

That the committee rise and report.

SHELDEN, Chairman

Report adopted.

MOTIONS

Bradley moved that House Bill No. 4 be rereferred to the Committee on Judiciary.

Motion failed.

UNFINISHED BUSINESS

The Speaker appointed the following Representatives to the Legislative Audit Committee: John B. Driscoll, Harold E. Gerke, Lloyd C. Lockrem, Jr., and Robert A. Ellerd.

Driscoll moved that the House adjourn until 1:30 p.m., January 21, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
January 21, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Mercer, Fishbaugh, Gerke, and Lund, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twelfth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 20, 1975

Mr. Speaker: The Committee on Bills and Resolutions report the following resolution correctly engrossed: House Joint Resolution No. 3.

QUILICI, Chairman

January 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 9, House Bill No. 99.

QUILICI, Chairman

January 21, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 38.

QUILICI, Chairman

January 20, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 28.

QUILICI, Chairman

Objection raised by Teague on adverse committee report on House Bill No. 43. Referred to Second Reading.

January 21, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 88 respectfully report as follows: That House Bill No. 88 do pass.

GUNDERSON, Chairman

Report adopted.

January 20, 1975

Mr. Speaker: We, your Committee on Legislative Administration, hav-

ing had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 6.

Following: "session"

Strike: "only"

2. Amend section 1, subsection (12), page 5, line 4.

Following: "session"

Strike: "only"

And as amended, do pass.

LYNCH, Chairman

Report adopted.

January 20, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 3, respectfully report as follows: That House Bill No. 3 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following "renew a"

Strike: "home fire"

Insert: "homeowners or home fire"

2. Amend page 1, section 1, line 14.

Following: "policy"

Strike: "providing fire coverage"

Insert: "insuring private residences including but not limited to fire, homeowner, theft or liability"

3. Amend page 1, section 1, line 17.

Following: "statement of the"

Insert: "specific"

4. Amend page 1, section 1, line 17.

Following: "reason"

Insert: "or reasons"

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

January 21, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41, be amended in the introduced bill as follows:

1. Amend page 10, section 3, subsection (1) (a), line 2.

Following: "completed"

Strike: "thirty-five (35)"

Insert: "thirty (30)"

2. Amend page 12, section 3, subsection (2) (d), lines 20 and 21.

Following "service"

Reinsert: ", the last five years of which shall have been in this state,"

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

January 20, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do not pass.

LYNCH, Chairman

Objection raised by Conroy on adverse committee report on House Bill 23. Referred to Second Reading.

January 21, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 do not pass.

W. BAETH, Chairman

In accordance with the 24 hour rule the adverse committee report on House Bill No. 87 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Bardanouve, Barrett, Gunderson, Harper, Menahan, Murphy. Total 6.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Kimble. Total 1.

MESSAGES FROM THE OTHER HOUSE

January 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read three several times, and passed, title and history agreed to, and the said resolution is herewith transmitted to the House for concurrence.

Senate Joint Resolution No. 5 introduced by Blaylock, Manley, Cetrone, et al.

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Driscoll moved to remove House Joint Resolution No. 3 from Third Reading and rerefer it to Second Reading this day.

Motion carried.

Dassinger moved that House Bill No. 96 be taken from the Committee on Local Government and be transferred to the Committee on Taxation.

Motion carried.

Vincent moved that House Joint Resolution No. 17 be taken from the Committee on Rules and be transferred to the Committee on Natural Resources.

Motion carried.

Brand moved that House Bill No. 149 be transferred from the Committee on State Administration to the Committee on Judiciary.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committee:

House Bill No. 194, introduced by Scully, Meloy, Vincent, James Moore, Travis, McKittrick: A bill for an act entitled: "An act amending Section 94-6-309, R.C.M. 1947, by making the issuing of a check on an insufficiently funded account an offense only where it is part of a common scheme." Referred to Committee on Judiciary.

House Bill No. 195, introduced by Kvaalen, W. Baeth, Magone, Fagg, Hubing, Kropp: A bill for an act entitled: "An act amending Section 26-215, R.C.M. 1947, to prohibit the use of artificial lights of greater luminance than .75 candlepower while hunting non-game birds and animals; and providing a penalty." Referred to Committee on Fish and Game.

House Bill No. 196, introduced by Meloy, Holmes, Huennekens, Marks, Babcock, Richards, Yardley, Harper, James Moore, Driscoll, Scully, Day, Halvorson, Dussault, Lester, Vincent, Fagg, Kimble, Lockrem, McKittrick: A bill for an act entitled "An act implementing Article XIII, Section 4 of the 1972 Montana Constitution to provide a code of ethics prohibiting conflict between public duty and private interest for Legislators and all state and local officers and employees; amending Section 94-7-401, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 197, introduced by Fagg, Gerke, Lory, Kimble, Murphy: A bill for an act entitled: "An act to amend the statute pertaining to urban renewal area financing to provide for the annexation or other inclusion of the urban renewal area in different taxing jurisdictions; to provide that the entire taxable value of the urban renewal area must bear the burden of bonded indebtedness of all taxing jurisdictions within which it lies; to limit the application of tax levies to the actual taxable value of the urban renewal area until the actual value exceeds the taxable value of the last tax year prior to the establishment of the urban renewal area; to provide that tax levies shall apply against the actual value of the urban renewal area after all urban renewal bonds and other debts have been retired; to broaden the uses of funds generated by bonds; to amend the duties of the County Treasurer accordingly; and amending Sections 11-3921, 11-3925, and 16-2601, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 198, introduced by South, C. R. Anderson: A bill for an act entitled: "An act amending Section 84-1832.1, R.C.M. 1947, to increase the tax levied on diesel fuel and liquid petroleum gas and to amend

Section 84-1840, R.C.M. 1947, to increase the allotment of funds derived from the tax on diesel fuel and liquid petroleum gas to local government." Referred to Committee on Taxation.

House Bill No. 199, introduced by Gould, Ellis, Babcock, Kvaalen: A bill for an act entitled: "An act to provide a mandatory jail base release sentence for persons convicted of negligent homicide where there is a finding of driving while intoxicated." Referred to Committee on Judiciary.

House Bill No. 200, introduced by Murphy, Hubing, Barrett: A bill for an act entitled: "An act to authorize the Department of Livestock to carry out research programs into beef production and to promote beef consumption; providing funding for such programs through a voluntary checkoff assessment on each change of ownership of livestock; amending Sections 46-104 and 46-804, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 201, introduced by Hager, Holmes, Teague, Federico, Huennekens, Williams: A bill for an act entitled: "An act authorizing and establishing a veterans' nursing and retirement home." Referred to Committee on State Administration.

House Bill No. 202, introduced by McKittrick, Kendall, Menahan, Kanduch, Herlevi, Magone, R. Baeth, W. Baeth: A bill for an act entitled: "An act to amend Section 84-709.1, R.C.M. 1947, to provide that proceedings for judicial review of a Tax Appeal Board decision must be instituted in the county where the taxable property is located." Referred to Committee on Judiciary.

House Bill No. 203, introduced by Kemmis, Magone, Menahan, Johnson (requested by Department of Revenue): A bill for an act entitled: "An act to amend Sections 84-901 and 84-902, R.C.M. 1947, relating to the statement to be furnished to the State Department of Revenue by officers of certain telegraph, telephone, electric power and other lines, and by the agent of the Department of Revenue; and to amend Section 84-906, R.C.M. 1947, relating to the statement of the amount apportioned to the counties." Referred to Department of State Administration.

House Bill No. 204, introduced by Guthrie, Mercer, Wyrick, Teague, Hager: A bill for an act entitled: "An act to prohibit the Board of Investments from investing retirement funds in common stocks." Referred to Committee on State Administration.

House Bill No. 205, introduced by Guthrie, Wyrick, Teague, Lockrem, Hager: A bill for an act entitled: "An act to repeal Section 75-6111, R.C.M. 1947, which provides for attendance at annual sessions of the State Teachers' Association." Referred to Committee on Education.

House Bill No. 206, introduced by Gunderson, Stoltz, Casey: A bill for an act entitled: "An act to amend Section 75-6105.1, R.C.M. 1947, to change the notification deadline for renewal of nontenure teachers' annual contracts from April 1 to April 15; and providing an immediate effective date." Referred to Committee on Education.

House Bill No. 207, introduced by Vincent: A bill for an act entitled: "An act requiring school districts to contract for architectural services under certain circumstances; and establishing the procedures for awarding such contracts." Referred to Committee on Education.

House Bill No. 208, introduced by Lester, James Moore, Vincent, McKittrick, Gilligan: A bill for an act entitled: "An act to amend Section 94-6-102, R.C.M. 1947, to include damage to public property in the criminal mischief provisions." Referred to Committee on Judiciary.

House Bill No. 209, introduced by Harper, Kimble, Vincent: A bill for an act entitled: "An act to remove the authorization for pole line right-of-way along streets, roads, and highways by repealing Section 70-301, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 210, introduced by Harper, Kimble, Vincent: A bill for an act entitled: "An act removing the provision that seventy-five percent of the costs of relocation of utilities facilities along a highway right-of-way be paid by the Department of Highways as a cost of highway construction by repealing Section 32-2415, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 211, introduced by Gilligan, Menahan, Lester, Jack Moore, Tropila: A bill for an act entitled: "An act to amend Section 16-2714, R.C.M. 1947, to limit the liability of Sheriffs in respect to service of process and levy of attachment." Referred to Committee on Local Government.

House Bill No. 212, introduced by McKittrick, Dussault, O'Connell, James Moore, Kimble, Yardley: A bill for an act entitled: "An act to amend Section 93-1120, R.C.M. 1947, relating to involuntary retirement allowances for Judges." Referred to Committee on Judiciary.

House Joint Resolution No. 21, introduced by Williams, Gerke, Fagg, Federico, Johnston, Teague, Lockrem, Hager, Mercer, Harper, W. Baeth, Shelden, McKittrick, Menahan, Lynch, Quilici, Kummerfeldt, Hageman, Driscoll, Huennekens: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Governor of the State of Montana, the Congress and the President of the United States of America to request the Federal Energy Administration to take immediate action in properly allocating crude oil imported from Canada to refineries in the State of Montana. Referred to Committee on Natural Resources.

House Joint Resolution No. 22, introduced by Lien, Smith, Day, Staigmiller, Williams: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the President of the United States, Gerald Ford, to revise the executive order of February 1972 banning the use of toxicants for predator control to allow the supervised use of 1080 to control predators. Referred to Committee on Fish and Game.

Senate Joint Resolution No. 5, introduced by Blaylock, Cetrone, Conover, Manley, Romney, Turnage, Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the State Board of Education to eliminate duplicating doctoral programs at the State's Universities. Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 21, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 4 be amended as follows:

1. Amend page 2, section 3

Reinstate: lines 13 through 19 (54-43)

And as amended, do pass. (55-42)

That House Bill No. 5 do pass. (83-10)

That House Bill No. 9 do pass. (62-33)

That House Bill No. 29 be passed for the day.

That House Bill No. 39 do pass. (88-1)

That House Bill No. 49 do pass. (67-25)

That House Bill No. 99 do pass. (88-1)

That House Joint Resolution No. 5 be moved to the bottom of the board.

That House Joint Resolution No. 3 be amended as follows:

1. Amend page 1, lines 12 and 13.

Following: "Poplar River"

Strike: "and the area of Montana South of the Estevan,"

Insert: "project," (78-1)

And be further amended:

2. Amend page 2, line 22.

Following: "Flathead River,"

Insert: "the Poplar River Project, Saskatchewan Project," (76-0)

And be further amended:

3. Amend page 3, line 1.

Following: "Flathead River"

Insert: ", Poplar River Project, Saskatchewan Project." (83-0)

And as amended, do pass. (90-0)

That House Joint Resolution No. 5 be amended as follows:

1. Amend page 4, after line 24.

Insert: "Section (5). Upon passage and approval of this legislation, the appropriate funding agency will make a temporary pay out with deductions for the first two weeks' salary of the employees covered under this resolution." (86-0)

And as so amended, do pass. (93-0)

That the committee rise and report.

MARKS, Chairman

As a substitute motion, Ellerd moved that House Bill No. 9 be segregated from the Committee of the Whole report and as amended, the Committee of the Whole report be adopted.

Motion failed.

As a substitute motion, Bardanouve moved that House Bill No. 99 be segregated from the Committee of the Whole report and as amended, the Committee of the Whole report be adopted.

Motion carried.

MOTIONS

Lynch moved that the rules be temporarily suspended and that House Joint Resolution No. 5 be placed on Third Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 28 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Brand, Staigmillar, Wolfe, Wood. Total 4.

House Bill No. 30 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Brand, Staigmillar. Total 2.

House Bill No. 36 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp,

Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Fagg, Halvorson, Hubing, Jacobsen, Marks, James Moore, Shelden, Smith, Underdal, Wood. Total 10.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Bengtson, Brand, Ellison. Total 3.

House Bill No. 70 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Wood. Total 1.

House Joint Resolution No. 6 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Ellison, Schye, Wood. Total 3.

House Joint Resolution No. 8 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager,

Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Asher, Babcock, Barrett, Ellerd, Ellison, Guthrie, Kropp, Lockrem, Marks, Seifert, Smith, Underdal. Total 12.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Schye, Wood. Total 2.

House Joint Resolution No. 5 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: None.

REPORTS OF STANDING COMMITTEES

January 21, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32

Be amended in the introduced bill as follows:

1. Amend page 6, section 1, subsection (3), line 1.

Strike: "an"

Insert: "a confirmed"

2. Amend page 6, section 1, subsection (3), line 3.

Following: "city."

Insert: "In case of volunteer firemen, such pension shall in no event exceed the sum of seventy-five dollars (\$75) per month."

3. Amend page 6, section 1, subsection (3) (a), line 15.

Following: "of"

Strike: "a confirmed"

Insert: "an active"

4. Amend page 6, section 1, subsection (3) (c), line 24.

Following: "of"

Strike: "a confirmed"

Insert: "an active"

And as amended, do pass.

BRAND, Chairman

Report adopted.

January 21, 1975

Mr. Speaker: We, your Committee on State Administration having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50

Be amended in the introduced bill as follows:

1. Amend section 1, subsection (2), page 1, lines 18 through 21.

Strike: "one (1) board member shall be a blood relative of a resident of Boulder River School and Hospital, and one (1) board member shall be a blood relative of a resident of Warm Springs State Hospital."

Insert: "Two (2) board members shall be blood relatives of residents of any state institution."

And as amended, do pass.

BRAND, Chairman

Report adopted.

January 21, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 2, respectfully report as follows: That Senate Joint Resolution No. 2 be concurred in.

BRAND, Chairman

Report adopted.

Driscoll moved that the House adjourn until 1:30 p.m., January 22, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, SPEAKER

EDWIN A. SMITH, Chief Clerk

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
January 22, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Lund, Mercer, Gerke, Fishbaugh, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 22, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 37.

QUILICI, Chairman

January 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 23, House Bill No. 43, House Bill No. 88.

QUILICI, Chairman

January 22, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 3, House Bill No. 32, House Bill No. 41, House Bill No. 142, House Bill No. 50.

QUILICI, Chairman

January 22, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bill No. 5, House Bill No. 39, House Bill No. 49, House Bill No. 9.

QUILICI, Chairman

January 22, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 4.

QUILICI, Chairman

January 22, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Joint Resolution No. 9, respectfully report as follows: That House Joint Resolution No. 9 be amended in the introduced resolution as follows:

1. Amend page 3, following line 16.

Insert: "(c) the chairman shall be chosen by the Speaker of the House of Representatives and the vice chairman by the President of the Senate of the ten (10) member committee;"

And as amended, do pass.

MURPHY, Vice Chairman

Report adopted.

January 22, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Joint Resolution No. 7, respectfully report as follows: That House Joint Resolution No. 7 do pass.

MURPHY, Vice Chairman

Report adopted.

January 22, 1975

Mr. Speaker: We, your committee on Local Government, having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do pass.

KENDALL, Vice Chairman

Report adopted.

January 22, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 117, respectfully report as follows: That House Bill No. 117 do pass.

KENDALL, Vice Chairman

Report adopted.

January 22, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 do pass.

STAIGMILLER, Chairman

Report adopted.

January 22, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do pass.

STAIGMILLER, Chairman

Report adopted.

January 22, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 do pass.

STAIGMILLER, Chairman

Report adopted.

January 22, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 do pass.

YARDLEY, Chairman

Report adopted.

January 22, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do not pass.

HUENNEKENS, Chairman

In accordance with the 24 hour rule the adverse committee report on House Bill No. 48 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Gunderson, Huennekens, Manuel. Total 3.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Bardanouve, Guthrie, Hubing, O'Connell. Total 4.

MESSAGE FROM THE OTHER HOUSE

January 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, titles and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 21 introduced by Turnage.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Staigmiller moved that House Bill No. 139 be rereferred to the Committee on Appropriations.

Motion carried.

House Bill No. 220, introduced by Brand, Menahan, Kanduch, Mular, Gilligan: A bill for an act entitled: "An act requiring all employers to grant to employees who are elected or appointed to public office a leave of absence of not more than one hundred eighty (180) days per year while performing public service; and requiring employees to make arrangements to return to work within ten (10) days following the completion of such public service." Referred to Committee on Labor and Employment Relations.

House Bill No. 221, introduced by Brand, Kanduch, Menahan, Mular, Staigmiller: A bill for an act entitled: "An act providing for the imposition of a Montana Income Tax which is equal to twenty-seven and one half percent (27.5%) of the Federal Income Tax payable on Montana taxable income; amending Sections 84-4903.1, 84-4924, and 84-4939, R.C.M. 1947; repealing 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4907, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 222, introduced by Brand, Menahan, Kanduch, Mular: A bill for an act entitled: "An act providing for the sale of the old prison site at Deer Lodge to the City of Deer Lodge for one dollar (\$1)." Referred to Committee on State Administration.

House Bill No. 223, introduced by Brand, Menahan, Kanduch, Mular, Staigmiller, Johnston: A bill for an act entitled: "An act to amend Section 59-1008, R.C.M. 1947, to provide for a lump-sum payment equal to the full amount of pay attributed to accumulated sick leave upon termination of employment." Referred to Committee on Labor and Employment Relations.

House Bill No. 224, introduced by Brand, Menahan, Staigmiller, Mular: A bill for an act entitled: "An act to amend Section 59-1001, R.C.M. 1947, to increase the number of annual vacation leave days after five (5) years of service." Referred to Committee on Labor and Employment Relations.

House Bill No. 225, introduced by W. Baeth, Magone, R. Baeth: A bill for an act entitled: "An act amending Section 32-2156, R.C.M. 1947, to prohibit driving in the left lane of a one-way roadway except in certain instances; and prohibiting the obstruction of traffic in the left lane of a one-way roadway." Referred to Committee on Highways and Transportation.

House Bill No. 226, introduced by Ellison, Staigmiller, (requested by Department of Fish and Game): A bill for an act entitled: "An act amending Section 26-202.1(13), R.C.M. 1947, to allow landowners to trap beaver with a landowner's permit." Referred to Committee on Fish and Game.

House Bill No. 227, introduced by Schye, Seifert, Aageson: A bill for an act entitled: "An act prohibiting the State of Montana from providing storage or labor and material for privately owned motor vehicles, the ownership and title of which is not vested in the State of Montana." Referred to Committee on State Administration.

House Bill No. 228, introduced by James Moore, Finley: A bill for an act entitled: "An act to generally revise and update Montana statutes that affect justice courts relating to fees, allowances, training, jurisdictional limits, holidays, calling of other justices, concurrent jurisdiction, venue and formation of trial jury; amending Sections 11-727, 11-1604, 25-301, 25-307, 25-310, 25-311, 25-409, 25-410, 93-401, 93-403, 93-408, 93-409, 93-410, 93-507, 93-6811, 93-6802.2, 93-7704, 95-1910, 95-2003, 95-2005, R.C.M. 1947, and repealing Sections 93-6802, 93-6804, 93-6807 and 93-6808, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 229, introduced by James Moore, Finley: A bill for an act entitled: "An act to amend Sections 11-1601, 11-1602 and 93-411 to redesignate police courts and police judges as city courts and city judges and to provide for the jurisdiction of city courts." Referred to Committee on Judiciary.

House Bill No. 230, introduced by South, Kelly, Hager, Gerke, McKittrick: A bill for an act entitled: "An act to amend Section 11-3524, R.C.M. 1947, to assure tenure for firemen upon consolidation or disincorporation of a city or town, continuing the Board of Trustees as set forth in 11-1913 and 11-1922, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 231, introduced by Johnson: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M. 1947, to exclude confirmed firefighters of cities of the first and second class from the ten dollar limitation." Referred to Committee on Labor and Employment Relations.

House Bill No. 232, introduced by Johnson: A bill for an act entitled: "An act to amend Section 59-1614, R.C.M. 1947, by reducing the fact finder list from seven persons to five persons, and providing an immediate effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 233, introduced by Johnson: A bill for an act entitled: "An act to amend Section 59-1609 to provide that the governing body of a political subdivision shall represent the public employer in collective bargaining." Referred to Committee on Labor and Employment Relations.

House Bill No. 234, introduced by Mular, Johnson, Gilligan, Kelly, Lynch, Harper, Conroy, Bengtson, Finley, McFadden, Dussault, McKittrick, Kimble, Johnston, Brand, Driscoll, Teague, Tropila, Dassinger, Quilici, Williams, Luebeck, Menahan: A bill for an act entitled: "An act regulating the fees of private employment agencies; amending Section 41-1422, R.C.M. 1947, relating to employer interview requests to private employment agencies; and amending Section 41-1425, R.C.M. 1947, relating to bonds for private employment agencies." Referred to Committee on Labor and Employment Relations.

House Joint Resolution No. 23, introduced by Kelly, Guthrie, Fagg, Luebeck, W. Baeth, Harper, Kendall, Gwynn, Ellis, Lory, Sloan, Tropila, Gilligan, Staigmiller, Quilici, Mular: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign to the appropriate standing committee a study of all the laws and rules of the State of Montana relating to fire fighting, fire prevention, and other fire services and have it report its findings and recommendations, together with any proposed legislation, to the Forty-fifth Legislature. Referred to Committee on Local Government.

Senate Bill No. 21, introduced by Turnage: A bill for an act entitled: "An act requiring a sentencing judge to impose a sentence of imprisonment for certain crimes when committed with a firearm or knife; providing that the Sentence Review Division cannot waive this requirement; amending Sections 95-2206 and 95-2502, R.C.M. 1947." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Murphy in the Chair. Committee arose. .

House resumed. Mr. Speaker in the Chair.

January 22, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 29 be passed for the day.

That House Bill No. 99 be amended as follows:

1. Amend title, line 8.

Strike: the period

Insert: "; and providing an immediate effective date." (92-0)

And be further amended:

2. Amend page 1, line 20.

Add: "Section 2. This act is effective on passage and approval." (84-0)

And as amended, do pass. (92-0)

That House Bill No. 23 be amended as follows:

1. Amend title, page 1, line 6.

Following: "sponsor"

Insert: "of new legislation. Amendments to previous enacted legislation will not be included." (66-22)

Be further amended:

2. Amend page 1, Section 2, line 14.

Following: "bills of"

Insert: "new legislation of" (64-23)

And as amended, do not pass. (63-31)

That House Bill No. 43 be amended as follows:

1. Amend Section 1, line 5.

Strike: "on state and" (65-11)

And be further amended:

2. Amend Section 1, line 12.

Strike: "any block of land"

3. Amend Section 1, line 12.

Strike: "that includes" and "or state-owned" (65-7)

And be further amended:

4. Amend Section 1, line 14.

Add: "outfitters, guides and other related occupations licensed by the state to charge for providing services rendered to the hunter and the fisherman are exempt from this act." (67-8)

And be further amended:

5. Amend Section 2, line 18.

Following: "fish,"

Insert: "may be" (69-5)

And as amended, do not pass. (71-23)

That House Bill No. 88 do not pass. (68-22)

That Senate Joint Resolution No. 2 be concurred in. (89-0)

That House Joint Resolution No. 5 be amended as follows:

1. Amend the Committee of the Whole amendment dated January 21, 1975.

Strike: The new Section 5.

Insert: "(5) The first payment under this bill shall be made in any manner that the state auditor deems necessary to facilitate prompt payment of wages." (90-0)

And as amended, do pass. (93-0)

That the committee rise and report.

MURPHY, Chairman

Report adopted.

MOTIONS

Driscoll moved that the rules be temporarily suspended and that House Joint Resolution No. 5 be placed on Third Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 37 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Hageman, Palmer, Schye. Total 3.

House Bill No. 38 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem,

Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Bardanouve, Hageman, Palmer. Total 3.

House Joint Resolution No. 5 was passed by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Hageman, Palmer. Total 2.

Driscoll moved that the House adjourn until 1:30 p.m., January 23, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTEENTH LEGISLATIVE DAY

Helena, Montana
January 23, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fourteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker introduced Douglas Wold, State President of the Montana Jaycees, who addressed the assembly in recognition of State Jaycee Week.

REPORTS OF STANDING COMMITTEES

January 23, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution correctly engrossed: House Bill No. 99, House Joint Resolution No. 3.

QUILICI, Chairman

January 22, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bill No. 76, House Bill No. 104, House Bill No. 106, House Bill No. 117, House Bill No. 157, House Joint Resolution No. 7.

QUILICI, Chairman

January 23, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly printed: House Joint Resolution No. 9.

QUILICI, Chairman

January 23, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 105, respectfully report as follows: That House Bill No. 105 do pass.

W. BAETH, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 be amended as follows:

1. Amend title, page 1, line 5.

Strike: “; and providing an effective date”

2. Amend page 1, Section 1, subsection (2), line 17.

Strike: “the”

Insert: “such”

3. Amend page 4, Section 7, lines 16 and 17.

Strike: Section 7 in its entirety.

And as amended, do pass.

W. BAETH, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22, introduced reading, be amended as follows:

1. On page 1, the title, line 6.

Following: “Sections”

Inserting: “82A-1004, 92-101”

2. Amend page 4, section 5, section 5, subsection (2), line 4.

Strike: “Workmen’s”

Insert: “Workers”

3. Amend page 5, section 7, line 19.

Strike: “workmen’s”

Insert: “workers”

4. Amend page 11, section 17, subsection (2), line 20.

Strike: “workman”

Insert: “worker”

5. Amend page 11, section 17, subsection (2), line 24.

Strike: “workman”

Insert: “worker”

6. Amend page 12, section 17, subsection (3), line 1.

Strike: “workman”

Insert: “worker”

7. Amend page 12, section 17, subsection (3)(a), line 5.

Strike: “Workmen’s”

Insert: “Workers”

8. Amend page 12, section 17, subsection (3)(b), line 8.

Strike: “Workmen’s”

Insert: “Workers”

9. Amend page 12, section 17, subsection (3)(b), line 10.

Strike: “workmen”

Insert: “workers”

10. Amend page 12, section 17, Subsection (4), line 13.

Strike: “workmen’s”

Insert: “workers”

11. Amend page 12, section 17, subsection (4), line 15.

Strike: “Workmen’s”

Insert: "Workers"

12. Amend page 12, section 17, subsection (4), line 18.

Strike: "Workmen's"

Insert: "Workers"

13. Amend page 12, section 17, subsection (5), line 22.

Strike: "workmen's"

Insert: "workers"

14. Amend page 12, section 17, subsection (5), line 25.

Strike: "workmen's"

Insert: "workers"

15. Amend page 14, section 19, line 5.

Strike: "workman"

Insert: "worker"

16. Amend page 14, section 19, line 5.

Strike: "his"

Insert: "the worker's"

17. Amend page 15, section 21, line 17.

Strike: "workmen"

Insert: "workers"

18. Amend page 15, section 21, line 20.

Strike: "workmen"

Insert: "workers"

19. Amend page 23, section 31, line 4.

Strike: "Workmen's"

Insert: "Workers"

20. Amend page 23, section 31, line 11.

Strike: "Workmen's"

Insert: "Workers"

21. Amend page 33, section 47, line 1.

Before: "division"

Insert: "administrator of the"

22. Amend page 48, section 69 (1), line 22.

Strike: "Workmen's"

Insert: "Workers"

23. Amend page 53, section 75 (1), line 12.

Strike: "Workmen's"

Insert: "Workers"

24. Amend page 53, section 75 (1), line 22.

Strike: "workmen"

Insert: "workers"

25. Amend page 54, section 75 (1), line 3.

Strike: "Workmen's"

Insert: "Workers"

26. Amend page 54, section 76, line 15.

Strike: "his workmen"

Insert: "the employer's workers"

27. Amend page 55, section 78, line 7.

Strike: "workman"

Insert: "worker"

28. Amend page 55, section 78, line 8.

Strike: "he"

Insert: "the worker"

29. Amend page 55, section 78, line 9.

Strike: "his"

Insert: "an"

30. Amend page 56, section 81, line 20.

Strike: "workmen"

Insert: "workers"

31. Amend page 58, section 83, line 1.

Strike: "workmen"

Insert: "workers"

32. Amend page 58, section 83, line 2.

Strike: "workmen's"

Insert: "workers"

33. Amend page 58, section 83, line 5.

Strike: "workmen"

Insert: "workers"

34. Amend page 58, section 83, line 8.

Strike: "Workmen's"

Insert: "Workers"

35. Amend page 58, section 83, line 13.

Strike: "workmen"

Insert: "workers"

36. Amend page 58, section 84, line 22.

Strike: "workman"

Insert: "worker"

37. Amend page 59, section 84, line 2.

Strike: "workman"

Insert: "worker"

38. Amend page 59, section 85, subsection (1)(a), line 12.

Strike: "Workmen's"

Insert: "Workers"

39. Amend page 59, section 85, subsection (1)(b), line 18.

Strike: "Workmen's"

Insert: "Workers"

40. Amend page 61, after section 85, line 1.

Insert: a new Section 86. Section 92-101, R.C.M. 1947, is amended to read as follows:

"92-101. Name of act—what each part to contain. This act shall be known and may be cited as the Workmen's Compensation Act or the Workers' Compensation Act. Part I (sections 92-101 to 92-843) shall contain those sections which have a general application to the whole of the act, and may be referred to as the 'general provisions'; part II (sections 92-901 to 92-908) shall contain those sections which refer to compensation plan number one; part III (sections 92-1001 to 92-1012) shall contain those sections which refer to compensation plan number two; part IV (sections 1101 to 92-1123) shall contain those sections which refer to compensation plan number three."

Section 87. Section 82A-1004, R.C.M. 1947, is amended to read as follows:

"82A-1004. Division of [workmen's] workers' compensation — creation — head. There is created a division of [workmen's] workers' compensation within the department. The division head is an administrator appointed by the governor as are directors in accordance with section 82A-106 of this act. Any reference in the Revised Codes of Montana 1947 to the industrial accident board or the division of workmen's compensation means the division of workers' compensation.

(2) The division is allocated to the department for administrative purposes only as prescribed in section 82A-108 of this act. However, the division may hire its own personnel, and section 82A-108(2)(d) does not apply."

41. Amend page 61, line 2.

Following: "Section"

Strike: "86"

Insert: "88"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

KIMBLE, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 67, respectfully report as follows: That House Bill No. 67 be amended in the introduced bill as follows:

1. Amend page 10, section 13, line 3.

Following: "members."

Insert: "However, the credit union shall not engage, directly or indirectly, in the sale or business of insurance, other than on life on shares and loans."

2. Amend page 9, section 13, line 14.

Following: "services"

Insert: ", but not including checking account services"

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 be amended in the introduced bill as follows:

1. Amend page 3, section 1, line 13.

Following: "exceed"

Strike: "one per cent (1%)"

Insert: "one and one-fourth percent (1-1/4%)"

And as amended, do not pass.

SHELDEN, Chairman

January 23, 1975

Mr. Speaker: We, your Committee on Business and Industry (Minority Report), having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 be amended in the introduced bill as follows:

1. Amend page 3, section 1, line 13.

Following: "exceed"

Strike: "one percent (1%)"

Insert: "one and one-fourth percent (1-¼%)"

And as amended, do pass.

VINCENT
HARPER
SHELDEN
BRADLEY
WOLFE

Objection raised by Vincent on adverse committee report on House Bill No. 21. Referred to Second Reading.

January 23, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do pass.

GUNDERSON, Chairman

Report adopted.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 17 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Aageson, Barrett, Gilligan, Murphy, Sivertsen. Total 5.

Excused: None.

Absent or not voting: Ellerd, Gerke, Herlevi, Holmes, Lockrem. Total 5.

MESSAGES FROM THE GOVERNOR

January 21, 1975

The Honorable Pat McKittrick
President of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Sir:

In accordance with Section 95-3231, Revised Codes of Montana, 1947,

I am transmitting the enclosed list of acts of Executive Clemency, covering the period from January 1, 1974 to January 1, 1975.

Sincerely,

THOMAS L. JUDGE
Governor

Acts of Executive Clemency - Covering the Period

January 1, 1974 - January 1, 1975

Case No. 3035 - Charles Bacon, Jr., who on the 7th day of June, 1963, was sentenced to two years and said sentence was suspended for the crime of Burglary in the First Degree, was granted a full pardon and restoration of all civil rights on the 6th day of February, 1974.

Case No. 3036 - William Houle, who on the 20th day of February, 1961, was sentenced to five years for the crime of Receiving Stolen Property, was granted a full pardon and restoration of all civil rights on the 6th day of February, 1974.

Case No. 3037 - John Gilbert Meyers, who on the 1st day of June, 1953, was sentenced to five years for the crime of Rape, was granted a full pardon and restoration of all civil rights on the 6th day of February, 1974.

Case No. 3038 - Jerry E. Booker, who on the 23rd day of April, 1963, was sentenced to one year and six months for the crime of Grand Larceny, was granted a full pardon and restoration of all civil rights on the 6th day of February, 1974.

Case No. 3039 - John Michael Gladeau, who on the 20th day of January, 1960, was sentenced to six months and said sentence was suspended for the crime of Contributing to the Delinquency of a Minor, was granted a full pardon and restoration of all civil rights on the 13th day of March, 1974.

Case No. 3040 - Jeremiah Crowley, who on the 27th day of April, 1961, was sentenced to one year for the crime of Issuing a No Account Check, was granted a full pardon and restoration of all civil rights on the 10th day of May, 1974.

Case No. 3041 - Henry R. Karau, who on the 13th day of February, 1957, was sentenced to five years for the crime of Robbery, was granted a full pardon on the 19th day of July, 1974.

Case No. 3042 - Raymond Board, who on the 19th day of November, 1957, was sentenced to 25 years for the crime of Burglary in the First Degree, was granted a commutation of sentence from 25 years to time served as of August 1, 1974, on the 18th day of July, 1974.

Case No. 3043 - Arnold W. Slawson, who on the 21st day of May, 1971, was sentenced to 30 years for the crime of Second Degree Murder, was granted a commutation of sentence from 30 years to 15 years on the 18th day of July, 1974.

Case No. 3044 - Wendell A. Lagarde, who on the 23rd day of April, 1963, was sentenced to one year and six months for the crime of Grand Larceny, was granted a full pardon and restoration of all civil rights on the 15th day of August, 1974.

Case No. 3045 - Roger Phillips, who on the 23rd day of February, 1966, was sentenced to three years for the crime of First Degree Burglary, one count, and Second Degree Burglary, two counts, was granted a full pardon and restoration of all civil rights on the 15th day of August, 1974.

Case No. 3046 - James G. Zakos, Jr., who on the 21st day of May, 1956, was sentenced to four years for the crime of Manslaughter, was granted a full pardon and restoration of all civil rights on the 15th day of August, 1974.

Case No. 3047 - Charles Stoddard, who on the 26th day of March, 1966, was sentenced to two years for the crime of Manslaughter, was granted full pardon and restoration of all civil rights on the 8th day of October, 1974.

Case No. 3048 - Arthur Russell Stone, who on the 5th day of December, 1960, was sentenced to seven years and said sentence was suspended for the crime of Burglary in the First Degree, was granted a full pardon and restoration of all civil rights on the 8th day of October, 1974.

Case No. 3049 - Clement Alan Moreno, who on the 24th day of April, 1972, was sentenced to two years for the crime of Taking and Using an Automobile Without the Consent of the Owner, was granted a full pardon and restoration of all civil rights on the 3rd day of December, 1974.

Case No. 3050 - Harold Lee Reynolds, who on the 15th day of December, 1943, was sentenced to two years for the crime of Grand Larceny, was granted a full pardon and restoration of all civil rights on the 3rd day of December, 1974.

Case No. 3051 - Virgil Leroy Tatro, who on the 27th day of July, 1960, was sentenced to two years for the crime of Grand Larceny, was granted full pardon and restoration of all civil rights on the 3rd day of December, 1974.

MESSAGE FROM THE OTHER HOUSE

January 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 56 introduced by Himsl, Flynn, Graham, et al

Senate Bill No. 64 introduced by Taxation Committee (by request of Dept. of Revenue).

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Huennekens moved that House Bill No. 68 be removed from the Committee on Natural Resources and be referred to the Committee on Taxation.

Motion carried.

Brand moved that House Bill No. 108 be removed from the Committee on State Administration and be referred to the Committee on Judiciary.

Motion carried.

Kemmis moved that House Bill No. 203 be removed from the Committee on State Administration and be referred to the Committee on Taxation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committee:

House Bill No. 235, introduced by Huennekens, Meloy, Vincent, Johnson: A bill for an act entitled: "An act appropriating money to the Department of Livestock for the purpose of informing livestock producers and meat consumers how they may deal directly with each other and not through a chain of middlemen." Referred to Committee on Appropriations.

House Bill No. 236, introduced by Finley, James Moore, R. Baeth: A bill for an act entitled: "An act to change the definition of final salary in the Highway Patrolmen's Retirement System; and amending Section 31-201, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 237, introduced by J. H. Anderson, Scully, Jacobsen, Smith: A bill for an act entitled: "An act to require dealers in secondhand merchandise to report certain information to County Sheriffs." Referred to Committee on Business and Industry.

House Bill No. 238, introduced by Harper, Menahan, McKittrick, Helmbrecht: A bill for an act entitled: "An act to raise the annual percentage salary increase for firefighters of cities and towns of the first and second class to two percent (2%)." Referred to Committee on Labor and Employment Relations.

House Bill No. 239, introduced by Conroy, Mular, Dussault, Lester, Harper, Vincent, Luebeck, Kelly, Halvorson, Murphy, Sloan, Gilligan, Tropila, Hager, C. R. Anderson, McFadden, Jacobsen, Thomas, Casey: A bill for an act entitled: "An act controlling the distribution of sample drugs." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 240, introduced by Brand: A bill for an act entitled: "An act amending Section 84-1855, R.C.M. 1947, to authorize claims for refund of the state gasoline license tax by certain school districts." Referred to Committee on Education.

House Bill No. 241, introduced by Halvorson (by request of Revenue Department): A bill for an act entitled: "An act to amend Section 84-708.1, R.C.M. 1947, to allow the Department of Revenue the discretion to waive the assessment of penalties for late filing of tax statements and returns and the late payment of taxes when the filing and payment are made within five (5) days of the time specified for filing and payment." Referred to Committee on Taxation.

House Bill No. 242, introduced by Brand, Mular, Dassinger, Jack Moore, Hubing, W. Baeth: A bill for an act entitled: "An act relating to size and equipment of cabooses; establishing minimum safety; amending Section 72-622, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 243, introduced by Menahan, Dussault: A bill for an act entitled: "An act to amend Sections 10-1210 and 10-1213; to provide that violation of consent adjustment without petition is within the definition of delinquent youth; and to delete the requirement that the police immediately notify a probation officer in all cases of apprehension of a youth." Referred to Committee on Judiciary.

House Bill No. 244, introduced by Quilici, Lynch, Kelly, Mular,

Menahan, McKittrick, Gilligan: A bill for an act entitled: "An act designating trucks used in mines rather than on highways as class four property, and amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 245, introduced by Brand, Menahan, Staigmiller, Mular, Lockrem, Kvaalen, Seifert: A bill for an act entitled: "An act relating to mosquito abatement districts; providing that petitioners for creation, enlargement, or dissolution of mosquito control districts, and objectors thereto, be qualified electors or property owners within the proposed districts; that mosquito control board members be real or personal property owners; providing for notice of hearing by mail to nonresident owners; providing an immediate effective date; amending Sections 16-4203 through 16-4207, and 16-4211, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 246, introduced by James Moore, Jacobsen, McFadden, Robbins, Teague, Vincent, Day: A bill for an act entitled: "An act to permit the destruction of certain juvenile records; amending Section 10-1232, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 247, introduced by Harper, Gunderson: A bill for an act entitled: "An act to abolish the exemption from post-secondary educational institution licensing requirements now provided for certain accredited institutions; conforming such licensing to the Montana Administrative Procedure Act; amending Sections 75-9203 and 75-9212, R.C.M. 1947; to repeal Sections 75-9213 and 75-9214, R.C.M. 1947; and providing an effective date." Referred to Committee on Education.

House Bill No. 248, introduced by Travis: A bill for an act entitled: "An act amending Section 66-803, R.C.M. 1947, to require cosmetology schools to teach courses in the practice of cosmetology upon people of all races." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 249, introduced by Schye, Meloy: A bill for an act entitled: "An act to amend Section 8-101, R.C.M. 1947, by providing that a motor carrier does not include motor vehicles used in carrying junk vehicles from a collection point to a motor vehicle wrecking facility or a motor vehicle graveyard." Referred to Committee on Highways and Transportation.

House Bill No. 250, introduced by Fagg, Huennekens, Driscoll, Lockrem, Vincent, Bengtson, Seifert, Lund, Jack Moore, Quilici, Kropp, Thomas, Meloy, Fabrega, Federico, McFadden, Hager, Lynch, Kvaalen, Bardanouve, Mercer, Jacobsen, Ellison, Murphy, Conroy, Lory, Ellis, W. Baeth, Manuel, Gilligan, Hageman, Ellerd, Menahan, Gunderson, Barrett, Kimble, Stoltz, Kummerfeldt, Ageson, Casey, Gerke, Schye, Smith, Bertelsen, Harper, Williams, Holmes, Guthrie, Wyrick, Kemmis, C. R. Anderson, J.H. Anderson, Rasmussen, Lester, Marks, Hubing, Shelden, Kendall, R. Baeth, Magone, Teague, Fleming, Staigmiller, Travis, Robbins, Finley, Babcock, Sivertsen, O'Connell, Fishbaugh, Day, Helmbrecht, Richards, Dussault, Scully, Dassinger, Gwynn: A bill for an act entitled: "An act to be known as the 'Uniform Motor Vehicle Accident Reparations Act of 1975'; providing for reparation benefits for persons in motor vehicle accidents with limitations upon the capacity to sue in tort to specified liability instances; providing for a system of security and insurance for reparation benefits and residual tort liability; amending Section 32-1208, R.C.M. 1947; repealing Sections 40-4403, 53-418 through 53-420, and 53-428 through 53-458, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 251, introduced by Seifert: A bill for an act entitled: "An act to amend Section 31-177, R.C.M. 1947, providing a point total for driving while an habitual traffic offender." Referred to Committee on Highways and Transportation.

House Bill No. 252, introduced by Seifert: A bill for an act entitled: "An act to establish a revocation of a license of an habitual offender and a method of removing points assessed to an habitual offender." Referred to Committee on Highways and Transportation.

House Bill No. 253, introduced by Johnson: A bill for an act entitled: "An act to amend Section 59-1605, R.C.M. 1947, by changing an inaccurate Section reference; and providing an immediate effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 254, introduced by Fagg, Kemmis, Luebeck, Rasmussen: A bill for an act entitled: "An act authorizing the Department of Intergovernmental Relations to reimburse a city up to half the operating deficit of a public transportation system, and declaring such expenditure to be for highway purposes." Referred to Committee on Local Government.

House Bill No. 255, introduced by Fagg, Hager: A bill for an act entitled: "An act requiring a mayoral candidate to receive at least fifty percent (50%) of the votes cast for that office in a general election; providing for a run-off election if no mayoral candidate receives at least fifty percent (50%) of the votes cast for that office; and amending Section 11-718, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 256, introduced by Finley: A bill for an act entitled: "An act to allow Montana citizens to choose for themselves how they shall die when their times come to die; providing for a legal, quick, and painless death for those who qualify and request it; and providing penalties for violation of the act." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 257, introduced by Gilligan (by request): A bill for an act entitled: "An act amending Section 87-139, R.C.M. 1947, to provide for liens upon personal property of employers for unpaid unemployment contributions." Referred to Committee on Labor and Employment Relations.

House Bill No. 258, introduced by Huennekens: A bill for an act entitled: "An act to amend Section 26-301 (8), R.C.M. 1947, to provide that certain motor vehicle restrictions do not apply to federal lands unless the federal agency specifically requests or approves state enforcement." Referred to Committee on Fish and Game.

House Bill No. 259, introduced by Menahan: A bill for an act entitled: "An act establishing a separate salary schedule for the office of County Clerk and Recorder; amending Section 25-605, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 260, introduced by Kelly (by request): A bill for an act entitled: "An act amending Sections 41-2003, 41-2006, and 41-2010, R.C.M. 1947, to protect the State of Montana for money due it as a result of payroll taxes owed the Employment Security Division of the Department of Labor and Industry." Referred to Committee on Labor and Employment Relations.

House Bill No. 261, introduced by Jack Moore, Johnston, Bertelsen, Lester, Murphy, Manuel, Underdal, Jacobsen: A bill for an act entitled: "An act to authorize the practice of veterinary technology; to increase the

number of members on the Board of Veterinarians from five (5) to six (6) by amending Sections 82A-1602 and 66-2202, R.C.M. 1947; to provide for continuing education and increase the license fee by amending Section 66-2207, R.C.M. 1947; and to change the definition of veterinary medicine by amending Sections 66-2209 and 66-2211, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 262, introduced by Palmer, Federico, Kemmis, Lester, Rasmussen: A bill for an act entitled: "An act to enact the Uniform Residential Landlord and Tenant Act; fixing the rights and duties of landlords and tenants in rented dwellings; repealing Sections 42-201, 42-202, 42-204, 42-205, 42-206, 42-207, and 42-301 through 42-309, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 263, introduced by Meloy, Huennekens, Driscoll, McKittrick: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article V, Section 6 of the Montana Constitution to provide that the Legislature shall meet in annual sessions." Referred to Committee on Judiciary.

House Bill No. 264, introduced by Bardanouve, Manuel: A bill for an act entitled: "An act appropriating moneys to various state agencies for the biennium ending June 30, 1977." Referred to Committee on Appropriations.

House Bill No. 265, introduced by Bardanouve: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the fiscal year ending June 30, 1975; providing for other matters relating to the appropriations; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 266, introduced by Finley, R. Baeth, James Moore: A bill for an act entitled: "An act to amend the statute pertaining to the cost of living increases for the Highway Patrolmen's Retirement System, to provide a minimum for retired patrolmen and for those compelled to retire because of the compulsory retirement age; amending Section 31-231, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 267, introduced by Finley, R. Baeth, James Moore: A bill for an act entitled: "An act to increase the state contribution to the Highway Patrolmen's Retirement System; and amending Section 31-210, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 268, introduced by Fagg, Yardley: A bill for an act entitled: "An act amending the Planned Community Development Act of 1973 by allowing annexation of areas incorporated within certain fire districts and conforming the act to other annexation laws." Referred to Committee on Local Government.

House Joint Resolution No. 24, introduced by Judiciary Committee: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to appoint a Select Committee to study, reorganize, and revise Montana's election laws and election procedures and report its findings and recommendations along with implementing legislation to the Forty-fifth Legislature. Referred to Committee on Judiciary.

House Joint Resolution No. 25, introduced by Rasmussen, Babcock, Marks, Bradley: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign to the appropriate standing committee a study of compensation for victims of crime legislation and to have the committee report its find-

ings and recommendations together with any proposed legislation to the Forty-fifth Legislature. Referred to Committee on Judiciary.

Senate Bill No. 56, introduced by Himsl, Flynn, Graham, Mathers, Olson, R. Smith, Thiessen: A bill for an act entitled: "An act providing for the payment of a workmen's compensation claimant's attorney and witness fees in certain cases." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 64, introduced by Taxation Committee (by request of the Department of Revenue): A bill for an act entitled: "An act to correct certain statutory errors designating and describing the Montana coordinate system; amending Sections 67-2011 and 67-2015, R.C.M. 1947." Referred to Committee on Taxation.

Without objection the Speaker referred House Bill No. 231 from the Committee on Labor and Employment Relations to the Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Hager in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 23, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 29 do pass. (98-0)

That House Bill No. 3 do pass. (79-18)

That House Bill No. 32 be passed to the bottom of the board.

That House Bill No. 41 be amended as follows:

1. Amend page 5, section 2, subsection (1) (a), lines 6 and 7.

Following: "to"

Strike: "five and one-eighth percent (5 1/8 %)"

Insert: "six and one-eighth percent (6 1/8 %)"

2. Amend page 7, section 2, subsection (3)(a), lines 2 and 3.

Following: "to"

Strike: "seven and one-fourth percent (7 1/4 %)"

Insert: "six and one-fourth percent (6 1/4 %)" (58-35)

And as amended, do pass. (96-1)

That House Bill No. 50 do not pass. (74-24)

That House Bill No. 76 do pass. (81-17)

That House Bill No. 104 do pass. (97-1)

That House Bill No. 106 do pass. (95-0)

That House Bill No. 117 do pass. (91-0)

That House Bill No. 142 do pass. (91-0)

That House Bill No. 157 do not pass. (73-23)

That House Joint Resolution No. 7 do pass. (59-37)

That House Bill No. 32 do pass. (74-25)

That the committee rise and report.

HAGER, Chairman

As a substitute motion, Dussault moved that House Bill No. 50 be segregated from the Committee of the Whole Report, and as amended, the report be adopted.

Motion failed.

Thereupon, the Committee of the Whole report was adopted.

REPORTS OF STANDING COMMITTEES

January 23, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), line 18.

Strike: "board"

Insert: "department"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 be amended in the introduced bill as follows:

1. Amend page 1, Section 1, line 17.

Strike: "a serious physical"

Insert: "an emergent"

2. Amend page 3, section 4, subsection (2), line 3.

Strike: "or"

3. Amend page 3, section 6, line 22.

Strike: "in cooperation"

Insert: "after consultation"

4. Amend page 4, section 7, line 12.

Following: "."

Insert: "This section shall not grant immunity from civil damages when a person is grossly negligent."

5. Amend page 4, section 8, line 15.

Strike: "defined"

Insert: "authorized"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 be amended in the introduced bill as follows:

1. Amend page 1, after section 1, line 20.

Insert: "Section 2. No funds appropriated hereunder may be used to furnish contraceptives to an unemancipated minor without the consent of the parent or parents or legal guardian of such minor."

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 be amended in the introduced bill as follows:

1. Amend page 2, section 2, line 10.

Following: "under"

Strike: "section"

Insert: "sections"

2. Amend page 2, section 2, line 10.

Following: "53-1107"

Insert: "and 53-1103"

And as amended, do pass.

BRAND, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 do pass.

BRAND, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 89, respectfully report as follows: That House Bill No. 89 do pass.

BRAND, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 15, respectfully report as follows: That House Joint Resolution No. 15 be amended in the introduced bill as follows:

1. Amend page 2, section (2), line 7.

Strike: "revise and update"

Insert: "recommend revisions of"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 be amended in the introduced copy as follows:

1. Amend page 1, section 1, subsection (2), line 25.

Following: "(2)"

Insert: "(a)"

2. Amend page 2, section 1, subsection (3), line 7.

Strike: "(3)"

Insert: "(b)"

And as amended, rerefer to Committee on Taxation.

BRADLEY, Chairman

Report adopted.

January 23, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 do not pass.

BRAND, Chairman

January 23, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 do not pass.

BRAND, Chairman

MOTIONS

Lockrem moved that this assembly commend the work of the Appropriation Subcommittee on Institutions. The House members of that committee are: Gerke, Chairman; Fishbaugh, Lund and Mercer. Their work for this assembly has caused their absence on the following days: January 14, 20, 21 and 22.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 4 failed to pass by the following vote:

Ayes: Asher, Bardanouve, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Federico, Fleming, Gunderson, Gwynn, Hager, Halvorson, Harper, Holmes, Johnson, Kemmis, Kimble, Kropp, Lester, Lien, Lory, Meloy, Jack Moore, James Moore, Palmer, Richards,

Robbins, Scully, Shelden, Staigmiller, Stoltz, Travis, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 43.

Noes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Ellerd, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Hageman, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kummerfeldt, Kvaalen, Lockrem, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Mular, Murphy, O'Connell, Quilici, Rasmussen, Schye, Seifert, Sivertsen, Sloan, Smith, South, Teague, Thomas, Tropila, Underdal, Wyrick. Total 56.

Excused: None.

Absent or not voting: Luebeck. Total 1.

House Bill No. 5 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lund, Lynch, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: Asher, Babcock, Ellerd, Hageman, Hubing, Johnston, Kropp, Lockrem, Manuel, Marks, Mercer, Mular, Schye, Seifert, Smith, Underdal, Wyrick. Total 17.

Excused: None.

Absent or not voting: Luebeck, Wood. Total 2.

House Bill No. 9 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Lynch, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Brand, Casey, Ellerd, Ellison, Fabrega, Guthrie, Gwynn, Hageman, Hager, Hubing, Johnston, Kropp, Kvaalen, Lockrem, Lund, McFadden, Manuel, Marks, Mercer, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 34.

Excused: None.

Absent or not voting: Luebeck. Total 1.

House Bill No. 39 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand,

Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: None.

Absent or not voting: Luebeck, Wood. Total 2.

House Bill No. 49 passed by the following vote:

Ayes: J. Anderson, Asher, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 71.

Noes: Aageson, C. R. Anderson, Babcock, Barrett, Casey, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Gunderson, Hubing, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Rasmussen, Schye, Seifert, Sivertsen, Smith, Wood, Wyrick. Total 27.

Excused: None.

Absent or not voting: Bardanouve, Luebeck. Total 2.

Senate Joint Resolution No. 2 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: None.

Absent or not voting: Luebeck. Total 1.

Driscoll moved that the House adjourn until 1:00 p.m., January 24, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTEENTH LEGISLATIVE DAY

Helena, Montana
January 24, 1975

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Yardley, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifteenth Legislative Day, find the same to be correct.

JOHNSTON, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 24, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution considered correctly engrossed: House Bill No. 3, House Bill No. 29, House Bill No. 32, House Bill No. 76, House Bill No. 104, House Bill No. 106, House Bill No. 117, House Bill No. 142, House Joint Resolution No. 7.

JOHNSTON, Vice-Chairman

January 24, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 21, House Bill No. 67, House Bill No. 89, House Bill No. 103, House Bill No. 127, House Bill No. 72, House Bill No. 20, House Bill No. 60.

JOHNSTON, Vice-Chairman

January 23, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 105, House Bill No. 116.

JOHNSTON, Vice-Chairman

January 24, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92, introduced reading, be amended as follows:

1. Amend page 1, section 1, line 17.

Following: "buildings"

Insert: ", roads and bridges"

2. Amend page 1, section 1, line 25.

Following: "building,"

Insert: "roads and bridges,"

3. Amend page 4, section 1, line 12.

Following: "request"

Insert: “, and the governing body of the county shall let such contract to the lowest and best responsible bidder”

4. Amend page 4, section 1, line 13.

Following: “fails”

Insert: “for a period of one (1) year”

And as amended, do pass.

GERKE, Chairman

Report adopted.

January 24, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 do pass.

GERKE, Chairman

Report adopted.

January 24, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do pass.

GERKE, Chairman

Report adopted.

January 24, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 do pass.

GERKE, Chairman

Report adopted.

January 24, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do pass.

GERKE, Chairman

Report adopted.

January 24, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 11.

Following: “practices”

Insert: “or other water concentration practices”

2. Amend page 1, section 2, subsection (3), line 25.

Following: “crops”

Strike: The remainder of subsection (3) in its entirety.

Insert: “, raising of livestock, or wildlife including dryland and irrigated crop production, range and irrigated livestock grazing, construction of water retention, delivery, or associated structures.”

3. Amend page 3, section 3, subsection (6), line 12.

Following: "Develop"

Insert: "or cause to be developed"

And as amended, do pass.

FLEMING, Chairman

Report adopted.

January 24, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do not pass.

GERKE, Chairman

January 24, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 do not pass.

GERKE, Chairman

Objection raised by Huennekens on adverse committee report on House Bill No. 165. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

January 23, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 17 introduced by Lynch

Respectfully yours,

John N. Hanson
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 269, introduced by Bardanouve, Robbins: A bill for an act entitled: "An act appropriating moneys to various state agencies for the biennium ending June 30, 1977." Referred to Committee on Appropriations.

House Bill No. 270, introduced by Luebeck, Harper, Vincent, Palmer: A bill for an act entitled: "An act to amend Section 26-121, R.C.M. 1947, to provide that interest earned by fish and game moneys be credited to the Fish and Game Commission; and to provide that all interest moneys be earmarked for acquisition, development, and maintenance of game ranges." Referred to Committee on Fish and Game.

House Bill No. 271, introduced by Bardanouve, Jacobsen: A bill for an act entitled: "An act to appropriate monies to the Board of Regents for

the University System Units for the biennium ending June 30, 1977, and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

House Bill No. 272, introduced by Bardanouve: A bill for an act entitled: "An act appropriating monies to various state agencies for implementation of the statewide pay plan January 1, 1975; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 273, introduced by James Moore, Dussault, Huennekens, Murphy, Kimble, Johnston: A bill for an act entitled: "An act limiting advertising expenditures by firms regulated by the Public Service Commission as a percentage of operating revenue." Referred to Committee on Highways and Transportation.

House Bill No. 274, introduced by W. Baeth, Dassinger, Travis, Kelly, Vincent, Mular, Harper, Kimble, Kendall, Kummerfeldt, McKittrick, Magone, Gilligan, Scully, Gunderson, Fleming, Luebeck, Johnson, Helmbrecht, Brand, Lynch, Shelden, Tropila, Quilici, Menahan, Kanduch, Herlevi: A bill for an act entitled: "An act amending Section 41-2303, R.C.M. 1947, to increase the minimum wage for employees in the State of Montana." Referred to Committee on Labor and Employment Relations.

House Bill No. 275, introduced by Fabrega, Williams, Casey, Jack Moore, Tropila, McKittrick, Seifert: A bill for an act entitled: "An act to define the rights of a father with respect to his illegitimate child, and to clarify the status of certain adoption proceedings involving illegitimate children, amending Sections 61-108, 61-205, and 61-209, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 276, introduced by McKittrick, Lockrem, Bradley, Gerke: A bill for an act entitled: "An act to amend Section 5-1028, R.C.M. 1947, to provide for additional drive-in and walk-up banking facilities in or within certain distances from the city limits in cities of not less than five thousand inhabitants; providing for an immediate effective date." Referred to Committee on Business and Industry.

House Bill No. 277, introduced by James Moore, Dussault, Gould, Lockrem, Guthrie, Herlevi, McKittrick: A bill for an act entitled: "An act to amend Section 66-1316, R.C.M. 1947, to allow opticians to perform mechanical work under an order or prescription signed by an optometrist." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 278, introduced by Marks (by request): A bill for an act entitled: "An act to appropriate six hundred thousand dollars to the Department of Natural Resources and Conservation to pay the state's portion of the local share of the Boulder River Watershed Project; providing an immediate effective date." Referred to Committee on Appropriations.

House Bill No. 279, introduced by Menahan, Dussault: A bill for an act entitled: "An act providing that the county commissioners provide liability insurance for privately owned vehicles of probation officers when used on official business." Referred to Committee on Local Government.

House Bill No. 280, introduced by Bradley, James Moore, Meloy, Vincent: A bill for an act entitled: "An act to amend the Utility Siting Act to provide for public debate, to utilize the filing fee to pay the debate costs, and to prohibit certain advertising; amending Sections 70-803, 70-806, and 70-807, R.C.M. 1947; and to provide a severability clause." Referred to Committee on Business and Industry.

House Bill No. 281, introduced by Holmes, James Moore, Kimble, Dussault, Kelly: A bill for an act entitled: "An act to require identification of traps designed for the capture of animals; to require that traps be designed to be as humane as possible for their purpose; to provide for specifications for the modification of certain traps; and to provide penalties." Referred to Committee on Fish and Game.

House Bill No. 282, introduced by Gunderson, Brand: A bill for an act entitled: "An act to amend Sections 43-218, 43-310 and 43-311, R.C.M. 1947, to implement the legislative recommendations of the majority report of the Montana Salary Commission by increasing the compensation of elective officials in the legislative branch; and providing for an effective date." Referred to Committee on Legislative Administration.

House Bill No. 283, introduced by W. Baeth, Kendall, Jacobsen: A bill for an act entitled: "An act to amend Section 31-188, R.C.M. 1947, changing the method of determination by the courts of an habitual traffic offender." Referred to Committee on Judiciary.

House Bill No. 284, introduced by Jacobsen (by request): A bill for an act entitled: "An act to provide that a county sheriff may join certain organizations at the expense of the county." Referred to Committee on Local Government.

House Bill No. 285, introduced by Bardanouve, Jacobsen: A bill for an act entitled: "An act appropriating moneys to various state agencies for the biennium ending June 30, 1977." Referred to Committee on Appropriations.

House Bill No. 286, introduced by Bardanouve, Lynch: A bill for an act entitled: "An act appropriating moneys to various state agencies for the biennium ending June 30, 1977." Referred to Committee on Appropriations.

House Bill No. 287, introduced by James Moore, Scully, Mular, Stoltz: A bill for an act entitled: "An act relating to contributory negligence." Referred to Committee on Judiciary.

House Bill No. 288, introduced by James Moore, Bradley, W. Baeth, Mular, Shelden, Huennekens, R. Baeth, Sloan, Bardanouve: A bill for an act entitled: "An act to amend Sections 26-201, 46-1902 and 46-1903, R.C.M. 1947, by deleting the wolf from the predatory and wild animal list, and deleting black-footed ferret from the fur-bearing animals list." Referred to Committee on Fish and Game.

House Bill No. 289, introduced by Bardanouve, Gerke: A bill for an act entitled: "An act appropriating moneys to various state agencies for the biennium ending June 30, 1977." Referred to Committee on Appropriations.

House Bill No. 290, introduced by Huennekens, Driscoll, Scully, Lockrem, Marks: A bill for an act entitled: "An act to change the expiration date of tax-paid decals on snowmobiles; to allow a ten (10) day grace period from date of purchase to make application for tax-paid decals; providing for proof of purchase; and changing time of assessment on snowmobiles; amending Sections 53-1026 and 84-406, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 291, introduced by Federico: A bill for an act entitled: "An act amending Sections 94-2-101, and 94-5-505, R.C.M. 1947, to eliminate antiquated terms and redefine sections pertaining to bodily health and welfare." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 292, introduced by Huennekens, Staigmilller, Johnston: A bill for an act entitled: "An act to amend Section 26-201, R.C.M. 1947, to classify Burbot, Channel Catfish, Pallid Sturgeon, and Shovelnose Sturgeon as game fish." Referred to Committee on Fish and Game.

House Bill No. 293, introduced by Johnson: A bill for an act entitled: "An act amending Section 59-1606, R.C.M. 1947, to provide that the Board of Personnel Appeals is not bound by common law and statutory rules of evidence in representation hearings; and providing an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 294, introduced by Lien, Kummerfeldt, Barrett, Smith, Jacobsen: A bill for an act entitled: "An act to amend Section 26-303.3, R.C.M. 1947, to require hunters to obtain the landowner's permission before engaging in any type of hunting on private property." Referred to Committee on Fish and Game.

House Bill No. 295, introduced by Lien, Sivertsen, Halvorson, Kendall, Hubing, Gerke: A bill for an act entitled: "An act to amend Section 84-1831, R.C.M. 1947, to delete liquid petroleum gases as a special fuel; to amend Section 84-1832.1, R.C.M. 1947, to eliminate the seven cents (\$.07) tax a gallon on liquid petroleum gases used to propel motor vehicles upon the public highways and streets of this state, and to impose a license tax in lieu of a fuel tax on each and every vehicle self-propelled upon the public highways and streets of this state using liquid petroleum gases; and to provide collection of the license tax by the Gross Vehicle Weight Division of the Department of Highways." Referred to Committee on Taxation.

House Bill No. 296, introduced by Federico, Holmes: A bill for an act entitled: "An act to require operators of homes or institutions who care for and maintain seven or fewer boarders to obtain a license." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 297, introduced by Lester, Helmbrecht, Day: A bill for an act entitled: "An act to amend voter registration laws by removing language discriminating against students in determining residency; amending Section 23-3022, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 298, introduced by Lester, Helmbrecht, Day: A bill for an act entitled: "An act to amend voter registration laws by allowing a registrar to enter an absent elector's name on the official register without the affidavits of two local electors; amending Section 23-3722, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 299, introduced by Driscoll: A bill for an act entitled: "An act to permit school districts to contract with other school districts for the purpose of constructing joint vocational-technical centers; allowing school districts to provide transportation to center if located in another district; and amending Section 75-7001, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 300, introduced by Hageman, Helmbrecht, Brand, Kendall, Fleming, Hubing: A bill for an act entitled: "An act to amend Section 32-3306, R.C.M. 1947, to exempt farm vehicles carrying campers for occasional recreational purposes from paying full GVW fees." Referred to Committee on Fish and Game.

House Bill No. 301, introduced by Lynch, C. R. Anderson, Mular, Menahan, Kelly, Gilligan, Luebeck: A bill for an act entitled: "An act to

allow creditable service in the Teachers' Retirement System for teaching completed at an accredited private school or college in Montana; and amending Section 75-6213, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 302, introduced by Williams, Fagg, Gerke (requested by Department of Revenue): A bill for an act entitled: "An act to amend Sections 84-6402, and 84-6404, R.C.M. 1947, to provide for assessment of all property of airlines operating in Montana." Referred to Committee on Taxation.

House Bill No. 303, introduced by Williams, Fagg, Gerke (requested by Department of Revenue): A bill for an act entitled: "An act to amend Section 84-6405, R.C.M. 1947, relating to assessment of airline company property; to provide for a hearing before the Department of Revenue and the State Tax Appeal Board." Referred to Committee on Taxation.

House Bill No. 304, introduced by Finley, R. Baeth, W. Baeth, Sloan: A bill for an act entitled: "An act amending Section 32-2188, R.C.M. 1947, to require bicyclists to ride in single file upon roadways not set aside exclusively for bicycle use and except when passing another bicyclist." Referred to Committee on Highways and Transportation.

House Bill No. 305, introduced by Finley, R. Baeth, Magone, W. Baeth: A bill for an act entitled: "An act amending Section 32-2190, R.C.M. 1947, to require front and side facing reflectors on bicycles in use at nighttime and a six (6) foot high warning flag in addition to equipment now required." Referred to Committee on Highways and Transportation.

House Bill No. 306, introduced by Bardanouve: A bill for an act entitled: "An act amending Section 26-345, R.C.M. 1947, providing a procedure for initiation of requests for closure of areas because of fire danger by boards of county commissioners." Referred to Committee on Local Government.

House Bill No. 307, introduced by Dassinger (by request of Department of Revenue): A bill for an act entitled: "An act to amend Sections 91A-3-803 and 91A-3-805, R.C.M. 1947, relating to claims against a decedent's estate." Referred to Committee on Judiciary.

House Bill No. 308, introduced by Guthrie, Gunderson: A bill for an act entitled: "An act to authorize the Board of Public Education to specify and define the basic instructional program in public schools, creating a new Section 75-7503.1, R.C.M. 1947, amending Sections 75-6303, R.C.M. 1947, relating to compulsory enrollment, and 75-8904, R.C.M. 1947, relating to instruction in drug education, and repealing Sections 75-7503, 75-7504, 75-7509, and 75-8904, R.C.M. 1947, prescribing subjects of instruction in public schools." Referred to Committee on Education.

Senate Bill No. 17, introduced by Lynch: A bill for an act entitled: "An act to clarify Section 84-202, R.C.M. 1947." Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Menahan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 24, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 105 do pass. (97-0)

That House Bill No. 116 do pass. (97-2)

That the Committee rise and report and beg leave to sit again.

MENAHAN, Chairman

Report adopted.

SPECIAL ORDERS OF THE DAY

A committee from the Senate composed of Boylan, Jergeson, and Himsl entered to notify the House that the Senate was ready to convene in Joint Session.

Members of the Senate were admitted to the House.

The Legislature being in Joint Session, Senate President Gordon McOmber occupying the Chair for the Joint Session, appointed the following committee to notify the Supreme Court that the Senate and House of Representatives had convened in Joint Session and were ready to hear the message of the Chief Justice: Towe and Huennekens.

The Supreme Court Justices were escorted to the rostrum.

After being presented to the assembly by the President of the Senate, Chief Justice Harrison delivered his address:

THE STATE OF THE JUDICIARY
BY
THE SUPREME COURT OF MONTANA
TO THE
44TH LEGISLATURE

Helena, Montana
January 24, 1975

Delivered by

Chief Justice James T. Harrison

Justices:

Hon. Wesley Castles
Hon. John Conway Harrison
Hon. Frank I. Haswell
Hon. Gene B. Daly

Your Supreme Court is highly pleased to have this opportunity to make a report on the state of the judiciary to this 44th Legislative Assembly. Throughout our nation the highest court has been invited to make such a report and this is the first in Montana. We are hopeful that what we have to say will be accepted in the spirit in which it is said, that of being of aid to you in determining what is best for the judicial branch of government during the coming biennium.

Since many of you are new to the legislative process and also too young to remember the course of the judiciary over the last couple of decades I want to give a brief resume.

When Justice Castles and myself came on this Court 18 years ago it

exemplified an old saying that justice delayed was justice denied. The first calendar of cases we heard in 1957 included cases tried before district courts in 1948, nearly a ten year lag between trial, appeal and a hearing upon that appeal. Litigants and their lawyers were crying for action. I recall I received many letters advising that if the appeal was not heard soon the client would be deceased, and in a few cases that did happen.

The Court at that time had two employees who assisted the justices in research and opinion writing and one of our first efforts toward clearing away the backlog was to request of the legislature the funds to hire five law clerks. These funds were granted, the law clerks were hired, and ever since then we have had them. We dispensed with the court marshall, assigning that job to one of the law clerks, a practice still followed. We went to work on that backlog, devoting long hours in an effort to get it cleared away. We set up regular calendars of hearings, hearings had previously been two appeals a day but soon we went to three cases a day. It had been customary to wait until the cases then heard had the opinions written before a new calendar was set, but we changed that practice. It was in April of 1960 that we set every case then ready for argument on that April Calendar, thus it had taken three years and four months to bring the Court to a current status. Now, nearly 15 years later, it is still current, and our monthly calendars still contain every case that is ready for argument.

But our calendars increase in number of cases. For a long period of years we set 15 cases a calendar, 3 a day for one week, and this seemed to fit the picture at that time. But we have had to increase our load of hearings, we first went to 4 a day for 5 days, or 20 cases a calendar. Of late we have had to increase the length of the calendar, for example our present January calendar. We commenced with 4 cases a day on January 9th and have had several original proceedings also to take care of. We are still in that calendar and will finish, hopefully, on next Monday, January 27th.

An ideal set-up for an appellate court is to hear arguments for one week, then spend two weeks writing the opinions in the cases heard, then a week to read the briefs and transcripts for the next calendar which would commence the next week.

One has to be familiar with legal writing and research to understand the vast amount of time spent in the preparation of opinions. Some courts can decide that an opinion is not necessary and decide the cause from the Bench, some use memorandum opinions, but we still prepare a full opinion in each appeal. Many people believe that all the time a judge or justice puts in at his job is when he is sitting on the bench. Far from the truth, that is the smallest part of his duties, what he has to do in his chambers and library constitutes the bulk of his working time.

A past president of the American Bar Association once said: "Our system of Government is no stronger than our courts and our courts are no stronger than the strength of the public's confidence in them." We can certainly vouch for the truth of that observation and it is in the hope that in a small way we can show you that our courts are strong.

As to our case load it has been steadily increasing. I do not want to bore you with statistics but I would like to make a comparison. Last year, 1974, we handled 265 cases, disposed of them by hearing 172 appeals, 49 applications for writs, 5 motions to dismiss, 5 stay orders, 22 dismissals, and hearings on 12 returns on writs. We issued 164 written opinions. A good indicator of our increasing work load is the number of written opinions handed down, and I give you these figures for the last five years:

1970 - 109
1971 - 153
1972 - 149
1973 - 174
1974 - 164

Election years always show a slight decrease because justices must campaign and before the change to a longer term at least one of the justices was on the ballot every general election.

We have not increased our staff over the years, aside from the employment of the 5 law clerks. We have done away with two positions so today we have only 3 more people on our payroll than we had 20 years ago. We are watching the continuing increase in the workload and we are aware that if the situation continues to increase we will need more help.

One matter that is of great concern to us is space requirements. Whenever additional justices are provided for the Court the lack of space for their officing will be critical.

We know that the Legislature is acutely aware of its own lack of space and facilities. This lack has been known for years, but now it is even more acute. The Supreme Court and law library are also having space problems; and these problems will also become more acute. The 1969 Legislature established a Select Legislative Committee to study the problem. It made its report. Two members of that Select Committee are in the Legislature today, Senator Elmer Flynn and Representative Dan Yardley. That Committee proposed to build a new Supreme Court and Law Library Building as a first step and then to renovate the Third Floor of the Capitol Building to give the Legislature needed space. The project went so far as to approve preliminary plans of a building and to acquire a proposed site. The Conclusions and Recommendations of the Select Committee are available for review in the office of the Division of Architecture and Engineering. I believe this Legislature should name a new Select Committee to proceed with plans to furnish the Legislature with additional space and facilities.

In our law library space problems in the past have been alleviated by transferring certain sets of books out of the library.

In 1958, the old Codes of the other states were transferred from the mezzanine to a storage room in the basement to make room for newer Codes and Session Laws of the other states as they were published. This space is almost all used up now so that it is necessary to sometimes place books on top of the shelves or stack them on the floor.

In 1966, approximately 9,000 books were transferred to the Law School Library at the University in Missoula. These consisted of state reports which were published after the beginning of the National Reporter System which publishes the reported opinions of all the Supreme Courts of the United States. This provided breathing room on the lower level of the library and space is again about exhausted.

In the summer of 1974, space containing law reviews on the other side of the mezzanine became so short that all of the bound briefs of Montana Supreme Court cases, 94 shelves or room for approximately 1,000 books, were moved to the storage space in the basement which could only be done by throwing away the old books in the basement. The space acquired by this move is already almost filled.

There are now some 84 shelves on the south end of the mezzanine con-

taining old books, mostly previous editions of treatises, that will have to be discarded in the near future to make room for law reviews and new Codes and Session Laws of the other states. A complete library would retain everything that was ever printed but the actual use of these books is so minimal that it seems a feasible way to provide shelf space.

The library acquires books at the rate of about 600 a year.

As for the future, the question of space for libraries seems to be to go into some kind of microfilm system. The West Publishing Company has put all of the National Reporter System, First Series, consisting of some 2,300 volumes on microfilm, and other sets are also now on microfilm. This would require the use of microfilm readers and the education of patrons of the library to that use, as well as a considerable investment in money but seems to be the only long-term solution to the space problem.

The budget for the year ending July 1, 1974, of \$38,000, was deficient in the amount of \$3,500 to pay for outstanding obligations and this amount was provided by supplementary appropriation. It is probable that a similar deficiency will appear in the year ending July 1, 1975, and another deficiency appropriation will be requested.

The budget request for purchase of books each of the next two fiscal years has been increased by \$5,000 and should cover acquisitions.

Before the convening of the 1977 Legislature some thought should be given to the purchase of some microfilm systems and preparation made for appropriation for same.

Under Article VII, the Judicial Article of the new Constitution, the Supreme Court has many new duties. The Court's general supervisory control over all other courts and the rule making power governing appellate procedures, practice and procedure for all courts, admission to the bar and the conduct of its members will require this Court to adopt comprehensive rules in many areas now handled by legislation. The Court intends to take on this task. Hopefully, no conflict will occur with the Legislative branch in this area. Historically the Legislature has passed all procedure and practice legislation. It no longer will have this function except in the way of disapproval for two succeeding sessions.

Fortunately for us, the new Constitution gives us broader authority in opinion writing techniques, which has been most time-consuming. As long as we give our decision in writing, we may now adopt several short-cut procedures, among them, summary dockets, memorandum opinions and orders of disposal in addition to the historical and traditional opinions. This should enable us to handle the workload more expeditiously. We note that the new Constitution provides for two more Justices if the Legislature deems it necessary. Should such necessity arise in our opinion, we shall so advise you. I believe, however, at this time, that we do not yet need additional justices although we do need additional help, as will appear from our budget requests.

We would like to call to your attention the various areas that members of the Court have worked in and furnished leadership outside of their regular duties as members of the Court.

The Civil Rules Commission prepared and furnished to the Legislature a set of civil rules patterned after the federal rules which were adopted and since their adoption you turned over to the Court the matter of keeping them up to date. We have done so and have an advisory group of lawyers who annually recommend to the Court any necessary amendments. We also prepared a set of rules for Civil Appellate Procedure which

are kept current by the recommendations of the same advisory group. The reason for rules being in conformity with the federal rules is so that attorneys who practice in the federal as well as the state courts will not become confused with different requirements of procedure in those courts. We have now under consideration many rule changes recommended to us which would bring them in line with the vast changes recently made in the federal rules. The civil rules commission was chaired by the Chief Justice and the membership consisted of 3 district judges, 3 lawyers and members of the faculty of the University of Montana Law School.

The Criminal Law Commission was created by the 1963 Legislature, and was chaired by Justice Wesley Castles. In 1967 the Legislature enacted into law a new criminal procedure act drafted by the Commission and approved by this Court under terms of the 1963 Legislation. The Commission completed its work on the Criminal Law and previously submitted to the Legislature the complete redraft of criminal law, which has been enacted. I comment here that the new code represents a great deal of work and study.

For some time the Montana Supreme Court has been concerned with complaints from members of the public concerning excessive delays in completing probate proceedings. In October 1971, we issued an order requiring all old estates to be wound up by April 1, 1972, and announced our intention of promulgating and adopting a uniform rule for all district courts requiring periodic accounting and settlements of estates over six months old. Additionally, the clerks of court were required to file reports with this Court covering all uncompleted probate proceedings filed in their respective counties between January 1, 1960 and January 1, 1970 with a status report on each.

Subsequently, we appointed the Montana Probate Commission to function as an arm of the Supreme Court.

The Montana Probate Commission which was chaired by Justice Frank Haswell, analyzed upwards of 2,000 uncompleted probates which had been reported by the clerks of the district courts throughout the state. This analysis revealed that there were great variations in the practices and procedures of the different district courts in respect to insuring prompt handling and completion of probate proceedings; that in multi-judge districts responsibility for probate matters was not clearly defined or centralized; that delays existed at all stages of probate proceedings and there was no pattern showing a breakdown at any one particular stage; and that in given estates there are a variety of legitimate reasons that delay completion of probates which should be recognized and provided for.

The Probate Commission promulgated and forwarded to the Montana Supreme Court a proposed Uniform Rule governing Probate proceedings in all district courts in Montana. The Supreme Court adopted this proposed Rule and it has been effective since January 1, 1973. An annual report to this Court by each Clerk of Court in the 56 counties of this state is due by March 1st on all uncompleted probates more than six months old.

The Probate Commission has received a number of complaints relative to delays and mishandling of probate proceedings since its inception. Many of these have been settled to the satisfaction of all parties by informal adjustment while other more serious matters have been referred to the Commission on Practice for action.

The new Uniform Probate Code will soon become effective and we look for many improvements over our present probate system. We intend to

observe it in action and should amendments be required we shall recommend them to you for action.

This leads me then to the Sentence Review Division of our Court. Some years back at the Conference of Chief Justices such a sentence review was discussed and I sought further information on my return home, and the Court considered the matter further and supported the adoption of such a procedure. Later, as a part of the Criminal Law Commission report, an act was submitted to you and it was adopted and Montana became the fourth state in the nation to have a body that could review sentences.

The Division consists of three district judges and they are empowered to consider all prison sentences imposed and can raise, lower or permit the sentences to stand. At one time I served on the Pardon and Parole Board and found out there that differences in sentences between two inmates who had committed the same crime caused an internal disciplinary problem. Since the adoption of this procedure it has worked very well, the authorities at the prison advise that it has cured the former problems and gives each inmate, if he desires it, an opportunity to talk over his crime and sentence with the judges on the board and in many situations sentences have been equalized so that the inmate does not feel that he has been discriminated against. Interestingly enough, on at least one case the sentence was raised and that action was brought before this Court and it was affirmed. No member judge sits in hearing a case in which he imposed the sentence; the chief justice appoints another judge to sit for him.

The Sentence Review Division has received wholehearted cooperation from the prison authorities, they provide the quarters in which their meetings are held, also secretarial service, and in every way possible assist the member judges in performing their duties. We on the Court are proud of the accomplishments of this division.

Another area in which a member of the Court has furnished leadership is the Governor's Juvenile Justice Advisory Council. On August 14, 1972, the Governor appointed a Juvenile Justice Advisory Council to make a comprehensive revision of the laws relating to youth in this state for enactment by the legislature. The Council was chaired by Justice Frank Haswell of this Court and its membership including two district judges, a county attorney, a police officer, a youth representative, a lay representative, a juvenile probation officer, a welfare administrator and a representative from the State Department of Institutions.

They concluded their work and the revision was submitted to the 1974 Legislature and adopted, effective July 1, 1974.

You will recall my words with reference to the work load and backlog of the Court nearly two decades ago. During the time that we were so concerned with bringing the Court to a current status it was not possible to devote much of our time to other matters. One which rankled us was that of discipline of certain members of the bar who were not complying with the ethics of the profession and even beyond that, were guilty of crimes under our laws. When we became current we did start to look into these matters and it is a public record that we disciplined a number of attorneys. We were, however, met with the charge that we were both judge and jury, in other words we were providing the prosecution and then sitting in judgment of the case.

To counter this charge and provide an independent agency of members of the bar to investigate and hear any charges brought against a lawyer and make recommendations to this Court, we set up a Commission on

Practice of the Supreme Court. We divided the state into 8 districts and we had to consider geographical lines as well as the number of lawyers in such districts. We provided for 4 year terms of the 8 members of the Commission, staggered so that 2 terms expire every year. Provision was made for an election by the members of the bar residing in each district, the election to be held by mail under the supervision of a judge in the particular district. This system has worked very well, the lawyers elected have been diligent in their work and we are very sure that they have given every accused a fair hearing.

We have also provided that each district judge shall annually appoint a grievance committee for his district to which can be referred matters requiring investigation, but in some cases the matter is referred to a grievance committee in an adjoining district so there will be no question as to friend investigating and reporting on friend. The Commission uses lawyers from a distance as its investigative counsel and they, as well as this Court, have been extremely gratified with the way such lawyers have performed their duties, for the most part on a reimbursement of actual expense basis.

You all know from reading your daily papers that this Commission has many matters before it at the moment, far more than should be required to be attended to by a body of lawyers who serve without compensation, other than their actual expenses.

Last fall when we had the Judicial Conference, which consists of the district judges and members of this Court, the matter of jury instruction guides came in for attention. Some years back the Montana Judges Association formulated a committee on jury instruction guides, chaired by Judge W. W. Lessley of Bozeman. This committee worked many months and formulated the Montana Jury Instruction Guide which they printed and distributed to the bench and bar of Montana.

Since these guides only covered civil jury trials it was suggested by the Judicial Conference that the Court appoint a Commission on Jury Instruction Guides which could update the present civil guides and prepare guides for criminal litigation. The Court has followed that recommendation and recently appointed such a Commission under the chairmanship of Judge R. J. Nelson of Great Falls.

The Legislative Assembly provided a school for Justices of the Peace to be held in Missoula under the guidance of the School of Law. District Judge E. Gardner Brownlee of Missoula was designated by the Court to be our representative in the conduct of the school. He has done an admirable job, prepared a handbook for Justices of the Peace which the Court considers a classic in its field. I have had many comments from Justices of the Peace and from professionals who taught in the school and all were most enthusiastic of the curriculum.

I have also had recommendations from Police Magistrates that such a school should be held for them. We leave these thoughts with you, merely adding that nobody can be hurt by learning more about his job, and everybody can be helped by professional education.

Many courts are adopting uniform rules of evidence and in keeping with that national trend we have appointed a Commission on Evidence. This commission is funded by a grant from the Crime Control Division, and Mr. Justice Frank Haswell is a member of the Commission which is chaired by Attorney Sam C. Haddon of Missoula. We shall await with great interest the results of their work.

Justice John Conway Harrison has accepted an appointment as a

member of the Montana Council on Criminal Justice Standards and Goals task force on courts, which is chaired by Senior United States District Judge W. D. Murray. Their work will extend over the next two years and doubtless will be of great assistance in the criminal justice field.

I would like to say a word about our Revised Codes of Montana. Commencing with the 1907 Code during the period up to the 1947 Code we had three recodifications, being 1921, 1935 and that of 1947, all done under the supervision of the Supreme Court. From the 1907 Code to that of 1921 was a period of 14 years; from the 1921 Code to that of 1935 was again a period of 14 years. From the 1935 Code to the 1947 Code was a period of 13 years. It is now 28 years since there has been a recodification, during which there has been an over-hauling of the state government, implementation of it, and a new Constitution.

Noting that a new Code should be had because of the great number of new statutes our Court discussed such an undertaking with the officers of the Montana Bar Association. They discussed it at their annual meetings thereafter and appointed a committee to work with the Court in obtaining the necessary legislation. We have testified on this project before the Legislative Council and committees of the Legislature. We had hoped that our offers to supervise the project would be acceptable, but it seems that the Legislative Council desires to handle this matter. It has been suggested to us that one or more members of the Court could be on an advisory committee. This would not be satisfactory because it would result in a large group with no responsibility for the product.

I have tried to explain that the people who use the Codes day by day are members of the Bar and the Courts. To a lawyer go the litigants, to the Codes goes the lawyer to ascertain what the law is, and to the Codes goes the Court to verify what the lawyer says is the law. It will require experienced lawyers to recodify the Code and it will be necessary that they be guided by those with practical legal experience so that the Code will be a working product. I believe I express the views of the great majority of practicing lawyers and judges in Montana.

We still say that we would be pleased to undertake to oversee the codification and furnish the necessary supervision, but it would be necessary that our supervision rest solely in the Court. We do not seek to have authority to provide for the printing, binding and publishing the Code when it is prepared, all we want is to see that Montana lawyers, judges, and the citizenry have the best Code that can be prepared.

We would encourage you to give consideration to the recommendations of the Salary Commission. I am sure they have studied our situation, as well as the other officials in our state government, and these recommendations are based upon their collective judgment.

Some months ago our Court ordered the integration of the bar and since then members of the bar in cooperation with the Court have implemented a schedule which will shortly be released. Many hours have been spent by members of this Court in the consideration of this matter and we expect great progress in creating a more responsible bar, a better disciplined bar, and of great interest to the people of our state will be the client security fund so that if losses be incurred by clients they may be, in some measure at least, compensated.

The general state of the judiciary is good. Some studies are now under way and we are hopeful that you give deep thought before undertaking any changes in judicial district boundaries, additional judges, et cetera. There may be some merit but we would suggest a go-slow attitude, following extensive study and consideration.

It has been a pleasure to have this privilege of appearing before you with my fellow associates on the Supreme Court of Montana and we hope that we have provided information which will be helpful to each of you during this session of our Legislature.

CHIEF JUSTICE HARRISON

The Supreme Court Justices were escorted from the chamber.

It was moved by Senator Lynch that the Joint Session be dissolved and that the members of the Senate return to the Senate Chambers.

The Joint Session having been dissolved, the House resumed business at 2:10 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 be amended in the introduced bill as follows:

1. Amend page 4, section 5, subsection (2), lines 12 through 16.

Following: "evidence."

Strike: All the remaining material in the section.

2. Amend page 5, section 7, line 14.

Following: "action"

Strike: "—when action may be brought"

3. Amend page 5, section 7, subsection (1), line 17.

Following: "action"

Insert: "."

4. Amend page 5, section 7, subsection (1), lines 18 through 25 and page 6, lines 1 through 3.

Strike: All of subsections (a) and (b) in their entirety.

5. Amend page 6, section 7, subsection (2), lines 4 and 5.

Following: "action"

Strike: "at any time"

6. Amend on page 7, section 8, line 1.

Following: "Section 8. Statute of limitations."

Insert: "(1) Limitation when father and child relationship is presumed.

(a) An action may be commenced at any time for the purpose of declaring the existence of the father and child relationship presumed under paragraph (a), (b), or (c) of section 5 (1); or

(b) for the purpose of declaring the nonexistence of the father and child relationship presumed under paragraph (a), (b), or (c) of section 5(1) only if the action is brought within a reasonable time after obtaining knowledge of relevant facts, but in no event later than five (5) years after the child's birth. After the presumption has been rebutted, paternity of the child by another man may be determined in the same action, if he has been made a party.

(2) Limitations when father-child relationship is not presumed."

7. Amend page 7, section 8, line 2.

Following: "existence"

Insert: "or nonexistence"

8. Amend page 7, section 8, line 4.

Following: "than"

Strike: "three (3)"

Insert: "five (5)"

9. Amend page 7, section 8, line 5.

Following: "than"

Strike: "three (3)"

Insert: "five (5)"

10. Amend page 7, section 8, lines 6 through 9.

Following: "later."

Strike: "However, an action brought by or on behalf of a child whose paternity has not been determined is not barred until three (3) years after the child reaches the age of majority."

11. Amend page 7, section 9, subsection (1), line 18.

Following: "maintenance,"

Strike: "or support"

Insert: "support or adoption"

12. Amend page 9, section 11, subsection (1), line 2.

Following: "orders."

Strike: "Rules of evidence need not be observed."

13. Amend page 12, section 14, subsection (3), following line 16.

Insert: "(4) If the scientific evidence resulting from the blood tests conclusively shows that the defendant could not have been the father then the instant action shall be dismissed."

Renumber: All subsequent subsections.

14. Amend page 15, section 18, subsection (1), lines 22 through 25 and page 16, section 18, subsection (1) and (2).

Following: "law"

Strike: ", the obligation of the father may be enforced in the same or other proceedings by the mother, the child, the public authority that has furnished or may furnish the reasonable expenses of pregnancy, confinement, education, support, or funeral, or by any other person, including a private agency, to the extent he has furnished or is furnishing these expenses. (2) The"

Insert: "the"

Renumber: All subsequent subsections.

15. Amend page 24, section 28, subsection (4), following line 13.

Insert: "Section 29. Following a determination of the existence of a parent-child relationship and upon petition by either party the court shall thereupon determine the custody of said child or children."

Renumber: All subsequent sections.

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Menahan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 24, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 9 do pass. (83-15)

That the Committee rise and report.

MENAHAN, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

January 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 do pass.

KIMBLE, Chairman

Report adopted.

January 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 11.

Following: "law"

Insert: "; and providing an effective date"

2. Amend page 9, following line 15.

Insert: "Section 2. This act is effective on its passage and approval."

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

January 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (b), line 19.

Following: "dependents"

Insert: "notwithstanding the provisions of Section 11-1024"

2. Amend page 1, section 1, subsection (c), line 20.

Following: "of"

Strike: "\$20,000"

Insert: "twenty thousand dollars (\$20,000) term"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

January 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 75, respectfully report as follows: That House Bill No. 75 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (2), line 9.

Following: "coverage"

Insert: "for these employments"

2. Amend page 9, section 4, line 8.

Following: "."

Insert: "For the purposes of this section, the words 'uninsured employer' shall mean an employer who has not properly complied with the provisions of section 92-202.1."

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 99 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 97.

Noes: None.

Excused: Yardley. Total 1.

Absent or not voting: Fagg, Scully. Total 2.

House Joint Resolution No. 3 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South,

Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 96.

Noes: None.

Excused: Yardley. Total 1.

Absent or not voting: Fagg, Gilligan, Scully. Total 3.

MOTIONS

James Moore moved that the House reconsider its action of January 23 taken on the substitute motion on Second Reading of House Bill No. 50.

Motion failed.

Driscoll moved that the House adjourn until 9:00 a.m., January 25, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTEENTH LEGISLATIVE DAY

Helena, Montana
January 25, 1975

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Fagg, Yardley, James Moore, Helmbrecht and Scully, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 24, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution considered correctly engrossed: House Bill No. 105, House Bill No. 116, House Joint Resolution No. 9.

QUILICI, Chairman

January 24, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 41.

QUILICI, Chairman

January 24, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bill No. 61, House Bill No. 91, House Bill No. 97, House Bill No. 138, House Bill No. 143, House Bill No. 147, House Bill No. 165, House Joint Resolution No. 15.

QUILICI, Chairman

Objection raised by Lory and Sloan on adverse committee report on House Bill No. 165. Referred to Second Reading.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 128 was adopted by the following vote:

Ayes: J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellison, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 74.

Noes: Aageson, Barrett, Bertelsen, Brand, Casey, Ellis, Fabrega, Johnston, Kemmis, Manuel, Marks, Jack Moore, Travis, Underdal, Wyrick. Total 15.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: C. R. Anderson, Hageman, Kimble, Richards, Seifert. Total 5.

MESSAGE FROM THE OTHER HOUSE

January 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 55 introduced by Himsl, Olson, Mathers, et al

Senate Bill No. 57 introduced by Himsl, Flynn, Graham, et al

Senate Bill No. 59 introduced by Graham, Himsl, Flynn, et al

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Palmer moved that House Bill No. 60 be taken from Second Reading and be referred to the Committee on Appropriations.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committee:

House Bill No. 309, introduced by Scully: A bill for an act entitled: "An act providing procedures for the disqualification of justices, magistrates, and justices of the peace in criminal proceedings." Referred to Committee on Judiciary.

House Bill No. 310, introduced by Driscoll: A bill for an act entitled: "An act amending Sections 16-2808 and 16-2818, R.C.M. 1947, by increasing the per diem payment for holding federal prisoners and prisoners committed by the Highway Patrol Bureau, the Department of Justice, or the State of Montana to seven dollars and fifty cents." Referred to Committee on State Administration.

House Bill No. 311, introduced by Travis: A bill for an act entitled: "An act amending Section 23-3022, R.C.M. 1947, to remove the prohibition of armed forces and other federal personnel from becoming residents of Montana for voting purposes." Referred to Committee on Judiciary.

House Bill No. 312, introduced by Luebeck, Vincent, Harper, Huennekens: A bill for an act entitled: "An act requiring the Board of County Commissioners to maintain an inventory of public roads in the county." Referred to Committee on Local Government.

House Bill No. 313, introduced by Yardley (by request of the Superintendent of Public Instruction): A bill for an act entitled: "An act to amend Section 75-6922, R.C.M. 1947, to provide a method for computing the permissive levy and to determine the permissive amount deficiency for elementary and high school districts." Referred to Committee on Education.

House Bill No. 314, introduced by Lynch, Quilici, Menahan, Ellerd, Murphy, McFadden, Tropila, Kelly, Mular: A bill for an act entitled: "An act to legalize gambling; create the Montana Gaming Control Board; to prescribe its duties and powers; to provide for classes of gaming licenses, license fees and taxes; to provide for the collection and disposition of license fees and taxes; to provide for local option elections; and to provide penalties." Referred to Committee on Business and Industry.

House Bill No. 315, introduced by Gerke: A bill for an act entitled: "An act to amend Section 16-2625, R.C.M. 1947, deleting the requirement that County Treasurers' monthly cash counts be certified to the Department of Intergovernmental Relations; providing an immediate effective date." Referred to Committee on State Administration.

House Bill No. 316, introduced by Gerke, South, Lockrem, Fagg: A bill for an act entitled: "An act to amend Section 82A-901, R.C.M. 1947; to change the title of Department of Intergovernmental Relations to that of the Department of Community Affairs in all pertinent statutes; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 317, introduced by Bradley, McKittrick, Kimble: A bill for an act entitled: "An act amending Section 23-3407, R.C.M. 1947, to provide for the appropriation of a reasonable sum from the State General Fund to be allocated equally to the political parties to assist in the payment of expenses to delegates and alternates to national conventions where candidates for President are nominated." Referred to Committee on Judiciary.

House Bill No. 318, introduced by James Moore, Sloan: A bill for an act entitled: "An act to impose additional qualifications relating to previous service on certain elected officials." Referred to Committee on State Administration.

House Bill No. 319, introduced by Huennekens, Vincent, Stoltz: A bill for an act entitled: "An act declaring the Legislature's concern about uncontrolled subdivision development on agricultural land in Montana and about the adverse effects of such development on the health, safety, and welfare of the people of Montana; providing for a temporary suspension of agricultural subdivision development until July 1, 1979, during which time the State of Montana shall adopt long-range goals concerning land use and economic and population growth, complete a statewide land and water resources inventory with the identification of important agricultural areas, and propose long-term protection policies for agriculture; and providing an immediate effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 320, introduced by Thomas (requested by Department of Revenue): A bill for an act entitled: "An act to amend Section 84-301, R.C.M. 1947, to place centrally assessed utility allocations in Class Nine." Referred to Committee on Taxation.

House Bill No. 321, introduced by Thomas (requested by Department of Revenue): A bill for an act entitled: "An act to amend Section 84-1502, R.C.M. 1947, to eliminate the three (3) year net operating loss carryback

in computing net income for corporation license tax purposes; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 322, introduced by Wolfe, Driscoll: A bill for an act entitled: "An act to amend Section 40-4804, R.C.M. 1947, to increase to twenty-five thousand dollars the amount which a farm mutual insurer may retain on a single risk; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 323, introduced by Mercer: A bill for an act entitled: "An act to amend Section 61-112.1, R.C.M. 1947, to allow parents of a minor to be sued for bodily injury inflicted by the minor and raising the maximum recovery for property destruction or bodily injury from a parent to one thousand dollars." Referred to Committee on Judiciary.

House Bill No. 324, introduced by Williams, Lien, Kummerfeldt, Gerke, Johnston, Lynch, Fagg, Ageson, Casey, Halvorson, Gunderson, Bengtson, Hager, Driscoll, Hageman, Staigmilller, Day, Sloan, Kelly, Dussault, Stoltz: A bill for an act entitled: "An act to amend Section 84-429.7, R.C.M. 1947, to provide tax incentive for introduction of sprinkler irrigation systems to nonirrigated farm lands." Referred to Committee on Taxation.

House Bill No. 325, introduced by Williams, Lien, Kummerfeldt, Gerke, Johnston, Lynch, Fagg, Bengtson, Hager, Gunderson, Ageson, Casey, Halvorson, Driscoll, Hageman, Staigmilller, Day, Sloan, Kelly, Dussault, Stoltz: A bill for an act entitled: "An act to amend Section 84-301, R.C.M. 1947, to include sprinkler irrigation systems in Class Seven." Referred to Committee on Taxation.

House Bill No. 326, introduced by Conroy, Mular, Lien, Dassinger, Johnson, Gilligan: A bill for an act entitled: "An act to amend Section 66-1514 and to add a new Section 66-1528, R.C.M. 1947, to the Board of Pharmacists' laws, to provide for deletion of words allowing a prescription to be refilled at will when no limitation on refills is provided on the prescription; to provide that any person found guilty of forging prescriptions for drugs shall be punished for each offense and providing penalties." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 327, introduced by Palmer, Jack Moore, Holmes: A bill for an act entitled: "An act to establish a program providing lifesaving treatment for chronic renal disease, requiring standards for determining eligibility to be established and appropriating two hundred thousand dollars (\$200,000) from the General Fund for the biennium ending June 30, 1977, to the Department of Social and Rehabilitation Services for such purpose." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 328, introduced by Palmer, Harper, Johnson, Jack Moore, Dussault, Vincent: A bill for an act entitled: "An act to authorize the Public Service Commission to order utility service to a consumer pending hearing on a complaint; amending Sections 70-119, R.C.M. 1947; amending Sections 70-707 and 93-4215, R.C.M. 1947, to authorize the consumer counsel to apply for, and the courts to grant, restraining orders." Referred to Committee on Business and Industry.

House Bill No. 329, introduced by Palmer, Travis, Holmes, Huennekens, Meloy: A bill for an act entitled: "An act to require the Department of Institutions to comply with the 'Montana Administrative Procedure Act' by amending Section 82-4202, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 330, introduced by Johnson: A bill for an act entitled:

"An act to amend Section 87-109, R.C.M. 1947, providing for an increase in contributions by employers by increasing the taxable wage base from four thousand two hundred dollars to four thousand eight hundred dollars beginning in calendar year 1975." Referred to Committee on Taxation.

House Bill No. 331, introduced by Johnson: A bill for an act entitled: "An act amending Section 87-109, R.C.M. 1947, to increase rates charged employers from one and five-tenths percent (1.5%) of total payroll to two percent (2%) of total payroll and providing an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 332, introduced by Palmer, Johnson, Lester, Magone, Kvaalen, Kemmis, Meloy, Lynch, Gilligan, Mular, Conroy, McKittrick, Kendall, Quilici, Wolfe, Bradley, Federico, Menahan, Luebeck, Brand, Huennekens, Travis, Dussault: A bill for an act entitled: "An act amending Section 87-103, R.C.M. 1947, to raise the percentage of the average weekly wage from the present fifty percent to fifty-five percent and sixty percent." Referred to Committee on Labor and Employment Relations.

House Bill No. 333, introduced by Luebeck, Menahan, Gilligan, Lynch, Harper, W. Baeth, Kelly, Kanduch, Mular: A bill for an act entitled: "An act amending Section 75-6104, R.C.M. 1947, to provide nontenure teachers with the same termination rights and procedures as tenure teachers." Referred to Committee on Education.

House Bill No. 334, introduced by Luebeck, Barrett, Harper, Lynch, Johnson, Kelly, C.R. Anderson: A bill for an act entitled: "An act to eliminate the budget limitations of 112% for school districts; amending Section 75-6923, R.C.M. 1947; and providing an immediate effective date." Referred to Committee on Education.

House Bill No. 335, introduced by Kummerfeldt, South, Day, Stoltz, Bengtson, Lund, Hubing, Harper, Thomas, Williams, Casey, Finley, Kemmis, Lien, Conroy: A bill for an act entitled: "An act appropriating moneys to the Department of Agriculture from the General Fund to create an insect surveillance, assistance and cropland spraying administration program." Referred to Committee on Appropriations.

House Joint Resolution No. 26, introduced by Gilligan, Gunderson: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Board of Regents to develop and establish a management information system for the post secondary institutions. Referred to Committee on Education.

House Joint Resolution No. 27, introduced by Vincent, Harper, Teague, Driscoll, Meloy, Palmer: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the promulgation of a rule by the Public Service Commission governing the circumstances under which a public utility may require a deposit to guarantee payment of bills. Referred to Committee on Business and Industry.

House Joint Resolution No. 28, introduced by Federico, Gunderson, Holmes, Travis, Stoltz, Guthrie, Wyrick, Driscoll, Conroy: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Board of Regents to find a means to help solve some of the problems of the Native Americans in Montana through a more relevant educational program. Referred to Committee on Education.

Senate Bill No. 55, introduced by Himsl, Olson, Mathers, Brown, R. Smith, Thiessen: A bill for an act entitled: "An act to amend Section 75-8107, R.C.M. 1947, to change the term of office for trustees of community colleges from seven (7) to three (3) years." Referred to Committee on Education.

Senate Bill No. 57, introduced by Himsl, Flynn, Graham, Mathers, Olson, R. Smith, Thiessen: A bill for an act entitled: "An act providing for disclosure to the Division of Workmen's Compensation of attorney fee arrangements, and regulating attorney fees in workmen's compensation cases." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 59, introduced by Graham, Himsl, Flynn, Thiessen: A bill for an act entitled: "An act amending Section 92-715, R.C.M. 1947, to provide for direct notice of award to claimants in workmen's compensation cases." Referred to Committee on Labor and Employment Relations.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lund in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 25, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 20 do pass. (88-0)

That House Bill No. 61 do pass. (91-2)

That House Bill No. 67 do pass. (90-0)

That House Bill No. 72 do pass. (89-0)

That House Bill No. 89 be placed below House Bill No. 127 on the board.

That House Bill No. 91 do pass. (72-18)

That House Bill No. 97 be passed for the day.

That House Bill No. 103 be passed to the bottom of the board.

That House Bill No. 127 be passed to the bottom of the board.

That House Bill No. 89 be amended as follows:

1. Amend title, page 1, line 6.

Following: "to"

Strike: "light" (82-2)

And be further amended:

2. Amend page 1, section 1, line 13.

Following: "a"

Strike: "passenger"

3. Amend page 1, section 1, line 14.

Following: "a"

Strike: "pickup"

4. Amend page 1, section 1, line 14 and 15.

Following: "truck"

Strike: "of one (1) ton or less manufacturer's rated weight."

5. Amend page 1, section 1, line 18.

Following: "a"

Strike: "passenger"

6. Amend page 1, section 1, line 23.

Following: "the"

Strike: "passenger" (84-0)

And as amended, do pass. (85-4)

That House Bill No. 138 be passed for the day.

That House Bill No. 143 do pass. (83-6)

That House Bill No. 147 do pass. (86-0)

That House Bill No. 165 do pass. (59-34)

That the Committee rise and report.

LUND, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

January 25, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 16, respectfully report as follows: That Senate Bill No. 16 be amended in the third reading bill as follows:

1. Amend title, page 1, line 5.

Strike: "following a section number"

2. Amend title, page 1, line 6.

Following: "refer to"

Strike: "a section of these"

Insert: "the revised"

3. Amend title, page 1, line 6.

Following: "codes"

Insert: "of Montana"

4. Amend page 1, section 1, line 9.

Following: "other"

Insert: "titles, chapters or"

5. Amend page 1, section 1, line 10.

Following: "a"

Insert: "title, chapter or"

6. Amend page 1, section 1, line 12.

Following: "a"

Insert: "title, chapter or"

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

January 25, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 do pass.

HUENNEKENS, Chairman

Report adopted.

MOTIONS

Jacobsen moved that House Bill No. 103 be taken from Second Reading and be rereferred to the Committee on Judiciary.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 3 passed by the following vote:

Ayes: C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Sheldon, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 85.

Noes: Aageson, Asher, Casey, Sivertsen, Wood. Total 5.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: J. Anderson, Barrett, Day, Thomas. Total 4.

House Bill No. 29 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 94.

Noes: None.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: None.

House Bill No. 32 passed by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis,

Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 75.

Noes: Aageson, J. Anderson, Asher, Babcock, Day, Fabrega, Fishbaugh, Hageman, Hager, Kropp, Kvaalen, Lockrem, Marks, Mercer, Rasmussen, Seifert, Smith, Wood. Total 18.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: Hubing. Total 1.

House Bill No. 41 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 94.

Noes: None.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: None.

House Bill No. 76 passed by the following vote:

Ayes: C. R. Anderson, John Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 83.

Noes: Aageson, Asher, Conroy, Hager, Hubing, Marks, Mercer, Sivertsen, Underdal. Total 9.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: Schye, Wood. Total 2.

House Bill No. 104 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 94.

Noes: None.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: None.

House Bill No. 105 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 93.

Noes: Gunderson. Total 1.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: None.

House Bill No. 106 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 94.

Noes: None.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: None.

House Bill No. 116 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: None.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: Ellison, Schye. Total 2.

House Joint Resolution No. 7 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, McFadden, Magone, Manuel, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Robbins, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 61.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Ellis, Ellison, Fabrega, Gould, Guthrie, Hager, Hubing, Kropp, Kvaalen, Lockrem, Lory, Lund, Lynch, Marks, Mercer, Jack Moore, Quilici, Rasmussen, Richards, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 33.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: None.

House Joint Resolution No. 9 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 74.

Noes: J. Anderson, Asher, Ellis, Ellison, Guthrie, Hager, Hubing,

Kvaalen, Lockrem, Lory, Marks, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 20.

Excused: Ellerd, Fagg, Helmbrecht, James Moore, Scully, Yardley. Total 6.

Absent or not voting: None.

Driscoll moved that the House adjourn until 1:30 p.m., January 27, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTEENTH LEGISLATIVE DAY

Helena, Montana
January 27, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Seifert and Ellison, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventeenth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 25, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bill No. 20, House Bill No. 61, House Bill No. 72, House Bill No. 91, House Bill No. 143, House Bill No. 147, House Bill No. 165.

QUILICI, Chairman

January 27, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 89.

QUILICI, Chairman

January 27, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 109, House Bill No. 10, House Bill No. 22, House Bill No. 78, House Bill No. 92.

QUILICI, Chairman

January 25, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 140, House Bill No. 162.

QUILICI, Chairman

January 27, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 67.

QUILICI, Chairman

January 27, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (2), line 11.

Following: "shall be"

Strike: "five (5) years"

Insert: "one hundred twenty (120) days"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

January 27, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 14, respectfully report as follows: That House Joint Resolution No. 14 do pass.

SHELDEN, Chairman

Report adopted.

January 27, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 22, respectfully report as follows: That House Joint Resolution No. 22 do pass.

STAIGMILLER, Chairman

Report adopted.

January 27, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 do pass.

GERKE, Chairman

Report adopted.

January 27, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do pass.

GERKE, Chairman

Report adopted.

January 27, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 do pass.

GERKE, Chairman

Report adopted.

January 27, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 do pass.

GERKE, Chairman

Report adopted.

January 25, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 16, respectfully report as follows: That House Joint Resolution No. 16 be amended in the introduced resolution as follows:

1. Amend title, page 1, line 6.

Following: "require"

Insert: "upon request"

2. Amend title, page 1, line 7.

Following: "a"

Strike: "single"

3. Amend page 1, line 24.

Following: "directory"

Insert: "upon request"

And as amended, do pass.

BRAND, Chairman

Report adopted.

January 25, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 be amended in the introduced bill as follows:

1. Amend page 2, section 2, subsection (2)(a), line 13.

Following: "hospital"

Strike: "resident"

Insert: "employee"

2. Amend page 4, section 3, subsection (3), line 1.

Following: "years."

Insert: "(g) one (1) chiropractor for three (3) years."

And as amended, do pass.

BRAND, Chairman

Report adopted.

January 25, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do pass.

BRAND, Chairman

Report adopted.

January 25, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do pass.

BRAND, Chairman

Report adopted.

January 27, 1975

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 do not pass.

SHELDEN, Chairman

January 25, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 11, respectfully report as follows: That House Joint Resolution No. 11 do not pass.

BRAND, Chairman

Objection raised by James Moore on adverse committee report on House Joint Resolution No. 11. Referred to Second Reading.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 137 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker. Total 93.

Noes: None.

Excused: Ellison, Seifert. Total 2.

Absent or not voting: Fagg, Guthrie, Lund, Wolfe, Yardley. Total 5.

MESSAGES FROM THE OTHER HOUSE

January 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Resolution were this day read three several times and concurred in as amended, titles and history agreed to, and the said bill and joint resolution are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 7 introduced by Yardley and Stoltz

House Joint Resolution No. 5 introduced by Bardanouve

Respectfully yours,

John N. Hanson
Secretary of the Senate

January 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Resolution were this day read three several times and concurred in, titles and history agreed to, and the said bill and House Joint Resolution are herewith returned to the House:

House Bill No. 6 introduced by Stoltz and Yardley

House Joint Resolution No. 2 introduced by Lynch

Respectfully yours,

John N. Hanson,
Secretary of the Senate

January 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 2 introduced by Rosell, Regan, Turnage

Senate Bill No. 89 introduced by Murphy, Hazelbaker (request of Department of Public Instruction)

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Staigmiller moved that House Bill No. 300 be rereferred from the Committee on Fish and Game to the Committee on Agriculture, Livestock and Irrigation.

Motion carried.

Meloy moved that consideration of House Bill No. 162 now on Second Reading be passed this legislative day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 336, introduced by Murphy: A bill for an act entitled: "An act amending Section 46-208, R.C.M. 1947, to permit the Department of Livestock to charge for laboratory tests and other materials related to disease control; and providing an immediate effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 337, introduced by Murphy: A bill for an act entitled: "An act to amend Section 66-2104, R.C.M. 1947, to provide that the Board of Abstracters shall increase the compensation of the board, and to provide actual and necessary expenses and mileage as authorized by Section 59-801, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 338, introduced by J. Anderson, Lien: A bill for an act entitled: "An act amending Sections 84-5211, 84-5212, 84-5214, and 84-5215, R.C.M. 1947, to update archaic language and to increase the maximum permissible limits of the special levies on livestock used to fund the Department of Livestock." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 339, introduced by Menahan, Lynch, Kanduch, Quilici: A bill for an act entitled: "An act to provide a cost-of-living increase to members of the Public Employees' Retirement System; amending Section 68-2513, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 340, introduced by Shelden, Bradley, Stoltz, Kimble, W. Baeth: A bill for an act entitled: "An act to authorize each state agency to adopt rules imposing a fee to be paid by an applicant for a lease, permit, contract, license, or certificate when an agency is required to compile an environmental impact statement." Referred to Committee on State Administration.

House Bill No. 341, introduced by Shelden, Bradley, Stoltz, Kimble, Day, Huennekens, Bertelsen: A bill for an act entitled: "An act amending the Open Space Land Act and providing for conservation easements; amending Sections 62-601, 62-602, 62-603, 62-604, 62-605, 62-608, 67-601, and 67-602, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 342, introduced by Gerke, Driscoll, Bardanoue, Gwynn, Williams, South, O'Connell, Teague, McKittrick: A bill for an act entitled: "An act to be known as the Housing Act of 1975; creating a Board of Housing and providing for its powers and duties relating to financing to assist private enterprise and governmental agencies to meet housing needs." Referred to Committee on State Administration.

House Bill No. 343, introduced by Shelden, Manuel: A bill for an act entitled: "An act amending Section 70-502, R.C.M. 1947, to change the meaning of 'line' with regard to the nominal voltage level carried." Referred to Committee on Business and Industry.

House Bill No. 344, introduced by Menahan, Lynch, Teague, McFadden, Tropila, Kelly, Quilici: A bill for an act entitled: "An act to amend Section 62-716, R.C.M. 1947, to allow cash as well as non-cash awards in bingo games and increase the cash award to \$1000." Referred to Committee on Business and Industry.

House Bill No. 345, introduced by Meloy: A bill for an act entitled: "An act to provide an alternative method of codifying ordinances; amending Section 11-1102, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 346, introduced by Menahan (requested by Board of Cosmetology): A bill for an act entitled: "An act to amend Sections 66-809, 66-813.1 and 66-817, R.C.M. 1947, to provide compensation to the Board of Cosmetologists for each day actually engaged in the business of the board; to provide for mileage expenses under Section 59-801, R.C.M. 1947; to delete the payment of actual and necessary expenses of the inspector at the time of initial inspection of a cosmetological establishment; to provide that it is unlawful for anyone to perjure himself on information supplied to the board; and to provide penalties." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 347, introduced by Menahan, Dussault: A bill for an act entitled: "An act to amend Section 10-1234, R.C.M. 1947, relating to the appointment, qualifications, and salaries of probation officers, and providing for the designation of First and Second Class Districts." Referred to Committee on Judiciary.

House Bill No. 348, introduced by Babcock, Schye, Lockrem, Ellerd, Jack Moore, Kvaalen, Sivertsen, Gould, Ellis, Lory, C. R. Anderson, J. Anderson, Finley, Bardanoue, Driscoll, Lynch, Barrett, Quilici: A bill for an act entitled: "An act to amend Section 95-611.1, R.C.M. 1947, to make

the parents or legal guardian of a minor found shoplifting liable for the merchandise taken and providing for punitive damages, costs, and reasonable attorney's fees." Referred to Committee on Judiciary.

House Bill No. 349, introduced by Day, Johnston, Huennekens, Kummerfeldt: A bill for an act entitled: "An act to amend the Montana Strip Mining and Reclamation Act to provide for the protection of certain agricultural lands on valley floors, and certain stream channels; amending Section 50-1042, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 350, introduced by Schye, Gould, Sivertsen, Fabrega, R. Baeth, Halvorson, Lory, Finley, Hager, Casey: A bill for an act entitled: "An act to amend Section 54-137, R.C.M. 1947, to provide a suspended sentence for certain offenders when they give information leading to conviction of drug dealers." Referred to Committee on Judiciary.

House Bill No. 351, introduced by Holmes, Palmer, Travis, Williams, Dussault, Halvorson, Vincent, Gerke, Johnson, Rasmussen, Lester, Lory: A bill for an act entitled: "An act relating to smoking in enclosed public places and providing penalties." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 352, introduced by Dussault, Lester, Johnson, Kelly, Gilligan, Kimble, Sloan, Holmes, Bradley: A bill for an act entitled: "An act to make unlawful the use of junked motor vehicles for flood control of a stream or for reinforcement of the banks of a stream." Referred to Committee on Natural Resources.

House Bill No. 353, introduced by Dussault, Fagg, Bertelsen, Ellis, Sloan, Gould, Vincent, Jack Moore, Finley, Lester, Palmer, Johnson, Lory, Kummerfeldt, Harper, Huennekens, Holmes, Magone, Fabrega, Aageson, Federico: A bill for an act entitled: "An act providing for community based services for the developmentally disabled; amending and renumbering Sections 80-2611 through 80-2615, 80-2621 through 80-2625, R.C.M. 1947; repealing Sections 80-2605 through 80-2610, 80-2616 through 80-2618, and 80-2620, R.C.M. 1947; and providing for an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 354, introduced by Dussault, Palmer, Finley, J. Anderson, James Moore, Magone, Harper, Jack Moore, Lester, Jacobsen, Gilligan, Kemmis, Dassinger, Kelly, Federico, Luebeck: A bill for an act entitled: "An act to amend Section 93-1906, R.C.M. 1947, to provide a minimum salary for reporters." Referred to Committee on Judiciary.

House Bill No. 355, introduced by Dussault, Casey: A bill for an act entitled: "An act relating to education of children in need of special education outside of the district of residence, allowing the Board of Trustees of the district of residence to arrange the attendance of a child in need of special education in another district without the payment of tuition, providing that the tuition for education out of the State of Montana shall be included in the maximum-budget-without-a-vote for special education; amending Sections 75-7808 and 75-5809, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 356, introduced by Dussault, Holmes: A bill for an act entitled: "An act to amend Sections 69-5204 and 69-5205, R.C.M. 1947, relating to license fees for hospital facilities." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 357, introduced by Dussault, Holmes: A bill for an act entitled: "An act to amend Section 82A-1602.17, R.C.M. 1947, to provide

that appointed members of the Board of Nursing Home Administrators shall serve staggered terms; and providing an immediate effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 358, introduced by Bengtson, Halvorson, South, Conroy, Mular, Finley, Gilligan (by request): A bill for an act entitled: "An act defining legal holidays for school purposes and amending Section 19-108, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 359, introduced by Fagg, W. Baeth, J. Anderson, O'Connell: A bill for an act entitled: "An act requiring the State Department of Revenue to remit a portion of the income taxes received by the Department to local governments." Referred to Committee on Taxation.

House Bill No. 360, introduced by Murphy: A bill for an act entitled: "An act to amend Section 66-603, R.C.M. 1947, to provide that the Board of Podiatry Examiners may allow for equivalent time in quarter or semester hours of instruction in the consideration of a podiatrist's application, to provide that the board may grant licensure to an applicant who has successfully completed his national Podiatry Board examination after a personal interview." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 361, introduced by Ellerd: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article X, Section 9 of the Montana Constitution to provide for an elected nonpartisan Commissioner of Higher Education." Referred to Committee on Education.

House Bill No. 362, introduced by Kimble (by request): A bill for an act entitled: "An act amending Section 92-703.1, R.C.M. 1947, to change the maximum weekly workmen's compensation benefits for partial disability from sixty dollars per week to one half the State's average weekly wage." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 2, introduced by Rosell, Regan, Turnage: A bill for an act entitled: "An act to generally revise certain statutes which discriminate on the basis of sex in order to remove the discrimination; amending Sections 11-802, 11-1821, 11-1911, 11-1915, 11-1927, 11-1928, 11-2025, 11-3112, 11-3215, 16-2702, 17-504, 17-807, 23-3405, 23-4727, 23-4728, 35-409, 39-108, 39-109, 39-113, 40-3312, 40-4902, 40-5305, 41-1119, 41-1506, 45-511, 45-603, 45-808, 59-519, 63-107, 63-402, 64-209, 67-903, 67-904, 67-1603, 71-120, 72-617, 72-618, 75-8701, 77-501, 77-1002, 80-1801, 80-1803, 84-301, 84-3206, 91-1304, 92-707, 92-1303, 92-1321, 93-2803, 93-2804, 93-2807, 93-2808, 93-2809, 93-4207, 93-4707, 93-5834, 93-5836, 93-6711, 93-9706, 93-100-2, 95-609, R.C.M. 1947; and creating a new Section 12-216, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 89, introduced by Murphy, Hazelbaker (request of Department of Public Instruction): A bill for an act entitled: "An act providing for the election of trustees of all high school districts operating a county high school, providing that no more than two of the trustee positions elected from the district in which the county high school is located or no more than one of the trustee positions elected from the district or districts in which the county high school is not located shall be subject to election at the same time, providing for the appointment of trustees to fill vacant trustee positions, providing for the composition, organization and officers of boards of trustees of high school districts operating county high schools and removing the County Superintendent as secretary to a joint board of trustees; amending Sections 75-5906, 75-5907, 75-5918, 75-5924, 75-5927, 75-5928, R.C.M. 1947; and repealing Sections 75-5920,

75-5921, 75-5922, 75-5923, and 75-5925, R.C.M. 1947." Referred to Committee on Education.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Kimble in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 27, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

(Seifert present at this time)

That House Bill No. 97 do pass. (92-6)

That House Bill No. 127 be amended as follows:

1. Amend section 1, subsection (4), page 3, line 11.

Following: "who was"

Strike: "in military service at any time during the Vietnam war, and who was totally disabled upon discharge from such service"

Insert: "totally disabled by a service connected disability as certified by the Veteran's Administration for service in the Vietnam area" (99-0)

And as amended, do pass. (95-0)

That House Bill No. 138 be amended as follows:

1. Amend page 1, line 22.

Following: "officials"

Insert: "except county attorneys" (89-0)

And as amended, do pass. (97-0)

That House Joint Resolution No. 15 do pass. (86-10)

That House Bill No. 21 be amended as follows:

1. Amend title, page 1, line 6.

Following: "to"

Strike: "one"

Insert: "one and one-fourth"

2. Amend title, page 1, line 6.

Following: "percent"

Strike: "(1%)"

Insert: "(1 1/4%)" (75-17)

And as amended, do not pass. (56-41)

That House Bill No. 140 do pass. (87-8)

That Senate Bill No. 16 be concurred in. (93-0)

That Senate amendments to House Bill No. 7 be concurred in. (94-0)

That Senate amendments to House Joint Resolution No. 5 be not concurred in. (91-0)

That the committee rise and report.

KIMBLE, Chairman

Report adopted.

MOTIONS

Lynch moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on House Joint Resolution No. 5.

Motion carried.

The Speaker appointed the following: Kimble, Chairman; Murphy and Jack Moore.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 20 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: Ellison. Total 1.

Absent or not voting: None.

House Bill No. 61 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Bertelsen, Conroy, Mular. Total 3.

Excused: Ellison. Total 1.

Absent or not voting: Gould. Total 1.

House Bill No. 72 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: Ellison. Total 1.

Absent or not voting: None.

House Bill No. 91 passed by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 83.

Noes: C. R. Anderson, Asher, Casey, Conroy, Ellerd, Fabrega, Guthrie, Hager, Kvaalen, Lockrem, Marks, Mercer, Seifert, Smith, Teague, Wyrick. Total 16.

Excused: Ellison. Total 1.

Absent or not voting: None.

House Bill No. 117 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: Ellison. Total 1.

Absent or not voting: None.

House Bill No. 142 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Ellison. Total 1.

Absent or not voting: Conroy. Total 1.

House Bill No. 143 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Casey, Conroy, Marks, Smith. Total 4.

Excused: Ellison. Total 1.

Absent or not voting: Wood. Total 1.

House Bill No. 147 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen,

Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: Ellison. Total 1.

Absent or not voting: None.

House Bill No. 165 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sloan, South, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 67.

Noes: Aageson, Asher, Babcock, Barrett, Casey, Conroy, Day, Ellerd, Fishbaugh, Gerke, Gunderson, Guthrie, Hageman, Hubing, Johnston, Kropp, Kvaalen, Lien, Lockrem, Lund, Marks, Mercer, Robbins, Schye, Seifert, Sivertsen, Smith, Staigmiller, Thomas, Underdal, Wood, Wyrick. Total 32.

Excused: Ellison. Total 1.

Absent or not voting: None.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following Representatives to serve on the Necrology Committee for the Forty-fourth Legislature: Hershel M. Robbins, Chairman; Ora J. Halvorson, Vice-Chairman; E. N. Dassinger, Carl M. Smith, and A. B. Guthrie.

The Speaker appointed the following Representatives to the Legislative Consumers Committee: Joe Quilici, Democrat, House District No. 84 and Dennis Casey, Republican, House District No. 3.

House recessed until 5:00 p.m.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 27, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly printed: House Bill No. 26, House Bill No. 150, House Bill No. 151, House Bill No. 184, House Bill No. 185, House Bill No. 187, House Joint Resolution No. 11, House Joint Resolution No. 14, House Joint Resolution No. 22.

QUILICI, Chairman

January 27, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 140.

QUILICI, Chairman

MESSAGE FROM THE OTHER HOUSE

January 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House of Representatives, dated January 27, 1975, and authorized the President to appoint a Free Conference Committee to confer on House Joint Resolution No. 5.

The President appointed the following members:

Thiessen, Chairman
Fasbender
Stephens

Respectfully yours,

John N. Hanson
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committee:

House Bill No. 363, introduced by Halvorson, Sloan, Scully (by request): A bill for an act entitled: "An act to amend Section 84, Chapter 49, R.C.M. 1947, by adding a new section exempting the first one thousand dollars (\$1,000) of compensation received by a Montana resident for service in the Montana National Guard from imposition of income tax." Referred to Committee on Taxation.

House Bill No. 364, introduced by Bengtson, South, Gerke, Driscoll, Ellis, Jack Moore, Lynch, Huennekens, Halvorson, Finley, Lester, Dussault, Bardanoue, Sivertsen: A bill for an act entitled: "An act to amend Section 93-201, R.C.M. 1947, to provide for the election of Supreme Court Justices from districts apportioned on the basis of population; and to provide for the election of a Chief Justice by the Justices of the Supreme Court." Referred to Committee on Judiciary.

House Bill No. 365, introduced by R. Baeth, Johnston, Finley, Magone, Teague, Gwynn, Staigmilller, Asher, Ellis: A bill for an act entitled: "An act to amend Sections 26-201 and 26-344, R.C.M. 1947, to provide for a definition of nongame wildlife and to regulate the introduction or transplanting of nongame wildlife into the state." Referred to Committee on Fish and Game.

House Bill No. 366, introduced by Mular, Lockrem, Conroy, Quilici, J. Anderson, Marks, James Moore, McFadden, Ellerd, Lien, Smith, Fishbaugh: A bill for an act entitled: "An act relating to reports, claims, tax returns and statements to be filed with and payments made to the State of Montana or to any political subdivision thereof; providing for time of filing or paying upon mailing, for competent evidence of such mailing and for filing or paying on nonbusiness days." Referred to Committee on Taxation.

House Bill No. 367, introduced by Jacobsen, Day, Lien: A bill for an act entitled: "An act to extend the Statute of Limitations on damage to real property caused by oil or gas operations; amending Section 93-2607, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 368, introduced by Meloy, Gunderson, Manuel, Bardanoue: A bill for an act entitled: "An act clarifying the authority of the Department of Business Regulation over milk transportation rates; amending Section 27-405, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 369, introduced by Meloy, Huennekens, Shelden, Bradley, Schye, Richards: A bill for an act entitled: "An act amending the acreage limitation in the definition of a subdivision for sanitary and public health purposes; amending Section 69-5002, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 370, introduced by Meloy (by request of Department of Health and Environmental Sciences): A bill for an act entitled: "An act generally revising the water pollution control laws to conform with federal requirements, to improve enforcement procedures, and to provide for user charges for industrial and other users of public sewage treatment systems; amending Sections 69-4801, 69-4802, 69-4806, 69-4807.1, 69-4808.2, 69-4809.1, 69-4809.2, 69-4820, 69-4820.1, 69-4822, 69-4823, 69-4825, and 69-4826, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 371, introduced by Mular, Hager, Kvaalen, Hubing, Lien, Kendall, Staigmiller, Luebeck: A bill for an act entitled: "An act amending Section 11-2223, R.C.M. 1947, requiring the City Clerk to mail notice of the passage of a resolution levying a special assessment; and amending Section 16-1614, R.C.M. 1947, requiring the County Clerk to mail notice of the passage of a resolution levying a special assessment." Referred to Committee on Local Government.

House Bill No. 372, introduced by Yardley, James Moore, Mular: A bill for an act entitled: "An act to provide for the determination of inheritance tax involving life estates, joint tenancies, and other taxable interests where no personal representative is appointed; and repealing Section 91A-3-1205, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 373, introduced by Mular, Quilici, Lynch, McFadden, Johnston, Kanduch, McKittrick, Manuel, Williams, C. R. Anderson, Dussault, Lien, Mercer, Finley, Teague, Johnson, Gilligan, James Moore: A bill for an act entitled: "An act to require mailed notice of the formation of a special taxing district or of the levying of a special assessment." Referred to Committee on Taxation.

House Bill No. 374, introduced by Halvorson, Meloy, Huennekens, Harper, Vincent: A bill for an act entitled: "An act imposing an additional tax on the capital gain realized in the speculative sale of land; prescribing penalties for the evasion of such tax; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 375, introduced by Helmbrecht (by request): A bill for an act entitled: "An act amending Section 25-311, R.C.M. 1947, to abolish miscellaneous fees for Justices of the Peace and repealing Section 25-304, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 376, introduced by Huennekens (by request): A bill for an act entitled: "An act to implement Article II, Section 15 of the Montana Constitution, enumerating other rights of juveniles and providing an opportunity for high school students to become aware of their rights." Referred to Committee on Judiciary.

House Bill No. 377, introduced by Huennekens, Driscoll: A bill for an act entitled: "An act increasing the rollback period in the Greenbelt Tax Program from four (4) to ten (10) years; amending Section 84-437.4, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 378, introduced by Manuel (by request): A bill for an act entitled: "An act to amend Sections 66-1228, 66-1234, 66-1236, 66-2108, 66-2110, 66-2111, 66-2337, 66-2340, 66-2344, 66-2405, 66-2707, 66-2709, 66-2711, 66-3016, R.C.M. 1947, to provide increased fees for application, examination, renewal, late renewal or registration for applicants, licensees or registrants of the Boards of Nursing, Abstracters, Professional Engineers and Land Surveyors, Plumbers, Morticians, and Hearing Aid Dispensers of the Department of Professional and Occupational Licensing; to provide that fees may be increased or decreased by the various Boards within limits; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 379, introduced by Bradley, Kimble, Huennekens, Meloy: A bill for an act entitled: "An act to amend Title 50, Chapter 10, the Montana Surface Mining and Reclamation Act, to include certain operating permit requirements, certain decision-making constraints; and to provide an immediate effective date." Referred to Committee on Natural Resources.

House Bill No. 380, introduced by Bradley, Kimble, Huennekens, Meloy: A bill for an act entitled: "An act to amend the Strip Mine Siting Act to require proof of national need for the coal mined and limiting the effect of this act; amending Sections 50-1607 and 50-1608, R.C.M. 1947; and providing an immediate effective date." Referred to Committee on Natural Resources.

House Bill No. 381, introduced by Bradley: A bill for an act entitled: "An act relating to the circumstances under which the regular average number belonging may be increased whenever a high school district provides for early graduation for any student; amending Section 75-6903, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 382, introduced by Meloy, Harper: A bill for an act entitled: "An act to require public utilities furnishing gas or electricity to file certain periodic reports with the consumer counsel." Referred to Committee on Business and Industry.

House Bill No. 383, introduced by Meloy, Harper, Driscoll, James Moore, Bradley: A bill for an act entitled: "An act amending Section 70-113, R.C.M. 1947, to require the Public Service Commission to hold hearings on proposed changes in schedules when there are adverse parties, and to render decisions in such contested cases in conformity with the Administrative Procedure Act." Referred to Committee on Judiciary.

House Bill No. 384, introduced by Scully, Gilligan: A bill for an act entitled: "An act amending Section 75-6105.1, R.C.M. 1947, to provide upon request a statement of reasons and hearing before the trustees on termination of employment of a public school teacher." Referred to Committee on Labor and Employment Relations.

House Bill No. 385, introduced by Menahan, Brand: A bill for an act entitled: "An act to amend Section 66-3208, by changing requirements for a psychologist license prior to January 1, 1976." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 386, introduced by Menahan (requested by Board of Cosmetologists): A bill for an act entitled: "An act authorizing the Board of Cosmetologists to regulate and license persons engaged in the practice of electrology and premises where electrology is practiced." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 387, introduced by Rasmussen: A bill for an act entitled: "An act to amend Sections 66-1316 and 66-1302, R.C.M. 1947, to prevent unauthorized persons from practicing optometry." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 388, introduced by Rasmussen: A bill for an act entitled: "An act to require insurance consultants to acquire a license from the Commissioner of Insurance; to provide for their licensure; and penalties for violation." Referred to Committee on Business and Industry.

House Bill No. 389, introduced by Sivertsen, Aageson, Helmbrecht, Holmes, Federico, Murphy, Travis, Lund, Stoltz, Kimble: A bill for an act entitled: "An act to provide locally based Indian teacher-training programs to be administered by local school districts or Indian non-profit corporations in cooperation with the units of higher education in Montana." Referred to Committee on Education.

House Bill No. 390, introduced by Yardley: A bill for an act entitled: "An act to amend Section 46-804, R.C.M. 1947, to provide that inspection fees collected by the Sheriff or Deputy Sheriff be put in an earmarked fund for certain expenses and that the surplus be paid into the County General Fund." Referred to Committee on Local Government.

House Bill No. 391, introduced by Lockrem: A bill for an act entitled: "An act changing the requirements for licenses for boiler and hoisting engineers and air compressor operators; amending Section 69-1509, R.C.M. 1947; amending and renumbering Sections 69-1601, 69-1603 and 69-1604, R.C.M. 1947; renumbering Sections 69-1602, 69-1606, and 69-1607, R.C.M. 1947; and providing an immediate effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 392, introduced by Driscoll, Lynch: A bill for an act entitled: "An act amending Section 84-301, R.C.M. 1947, to broaden the definition of property includable in Class Seven and to authorize governing bodies of local government units to classify such property." Referred to Committee on Taxation.

House Bill No. 393, introduced by James Moore, McKittrick: A bill for an act entitled: "An act amending Sections 91A-1-401, 91A-3-303, 91A-3-403, 91A-3-706, 91A-3-806, 91A-3-1010, and 91-4468, R.C.M. 1947, relating to the Montana Uniform Probate Code and repealing Sections 91A-6-103, 91A-3-714, 91A-3-715, and 91-218, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 394, introduced by Huennekens, Richards, Kimble, Harper: A bill for an act entitled: "An act to enlarge the scope of the Legislative Intern Act of 1974; amending Sections 43-723, 43-726, 43-728, 43-729, and 43-730, R.C.M. 1947." Referred to Committee on Legislative Administration.

House Bill No. 395, introduced by Meloy, Holmes, Huennekens, Bradley, Driscoll, James Moore: A bill for an act entitled: "An act amending Sections 4-412, 15-2006, 41-1429, 40-3329, 62-508, 66-112, 66-403.1, 66-510, 66-913, 66-1036, 66-1038, 66-1240, 66-1312, 66-1504, 66-1834, 66-1937, 66-2115, 66-2210, 66-2345, 66-2509, 66-2610, 66-2714, 66-3017, 66-3209, 75-6010, and 93-2027, R.C.M. 1947, to provide that a person convicted of a crime and is no longer under state supervision is restored the right to practice any occupation requiring state licensing; and to provide that a person applying for such a license shall not be denied a license because of a previous conviction." Referred to Committee on Judiciary.

House Bill No. 396, introduced by Meloy, Huennekens, Driscoll, Holmes,

Richards, Lynch, Yardley: A bill for an act entitled: "An act to implement Article II, Section 8 of the 1972 Constitution by providing guidelines for citizen participation in the operations of government agencies." Referred to Committee on Judiciary.

House Bill No. 397, introduced by Stoltz, Lester, Helmbrecht, Dussault, Gunderson, Bradley: A bill for an act entitled: "An act to amend Section 23-3703, R.C.M. 1947, by extending from forty-five (45) days to seventy-five (75) days the allowable period for applying for an absentee ballot." Referred to Committee on Judiciary.

House Bill No. 398, introduced by Stoltz, Gunderson, Underdal, Day, Murphy, Meloy, Fishbaugh, Harper, Kummerfeldt, Bardanouve, Huennekens, Fleming, Gerke, Bradley: A bill for an act entitled: "An act to create a Division of Livestock Marketing Research in the Montana Department of Agriculture to conduct research into all phases of livestock culture, production, marketing and use; levying an assessment of one (1) mill per livestock unit to cover the expense of research and the administration of this act; providing for an effective date, July 30, 1975." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 399, introduced by Robbins, Dassinger, Day, McFadden, James Moore, Gerke, Jack Moore, Fabrega: A bill for an act entitled: "An act to revise the powers of the commission supervising a city Department of Public Safety; to establish appeal procedures for employees discharged or terminated by the director of a Department of Public Safety; amending Sections 16-2726, 16-2727, 16-2728 and 16-2729, R.C.M. 1947; and providing an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 400, introduced by Harper, Vincent, Luebeck, W. Baeth, Fleming: A bill for an act entitled: "An act amending Section 82-1202.1, R.C.M. 1947, providing for licensing of businesses which manufacture, sell, service and install fire extinguishers, fire alarms, and fire extinguishing systems." Referred to Committee on Business and Industry.

House Bill No. 401, introduced by Hager: A bill for an act entitled: "An act amending Sections 69-6508 and 69-6509, R.C.M. 1947, making the Governor's representative on the Environmental Quality Council a non-voting member and revising the terms of office of council members." Referred to Committee on Natural Resources.

House Bill No. 402, introduced by Sloan, Fagg, Dussault, Holmes, Palmer, James Moore, Kimble, Gunderson: A bill for an act entitled: "An act to amend Section 94-7-401, R.C.M. 1947, to include in the definition of official misconduct the act of inducing a person to commit a criminal act, and to amend Section 94-3-111, R.C.M. 1947, to further define entrapment." Referred to Committee on Judiciary.

House Bill No. 403, introduced by Hager: A bill for an act entitled: "An act subjecting cooperative corporations to the Corporation License Tax; amending Sections 84-1501, 84-1502, and 84-1504, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 404, introduced by Bertelsen, Kropp, Johnston: A bill for an act entitled: "An act to amend Sections 3-2701 and 16-1175, R.C.M. 1947, to permit the Department of Livestock and counties to operate rodent control programs independent of the Bureau of Sports Fisheries and Wildlife of the Department of Interior; and providing an immediate effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 405, introduced by O'Connell, Manuel, Gwynn, South: A bill for an act entitled: "An act to amend Section 16-2618, R.C.M. 1947, authorizing counties, cities and towns to seek and accept bids for interest to be paid on public funds on deposit in banks." Referred to Committee on Local Government.

House Bill No. 406, introduced by Bardanouve: A bill for an act entitled: "An act protecting the right of the people to access to a full discussion of all sides of political issues involved in an election contest by prohibiting the raising of new political issues in the five (5) days immediately preceding the election and providing penalties." Referred to Committee on Judiciary.

House Bill No. 407, introduced by Bardanouve: A bill for an act entitled: "An act providing for the appointment, duties, and powers of a Code Commissioner to recompile the Laws of Montana; repealing Section 12-332.1, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 408, introduced by Johnson, Brand, Kemmis, Lester, Dussault: A bill for an act entitled: "An act amending Sections 69-1501 through 69-1505 and 69-1507, 69-1508, 69-1510 through 69-1517, R.C.M. 1947, relating to inspection and operation of steam boilers and steam machinery; the licensing of engineers for steam boilers and steam machinery; and repealing Sections 69-1506, 69-1509, 69-1701, 69-1702, and 69-1703, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 409, introduced by Williams, Gerke: A bill for an act entitled: "An act to add agricultural processing facilities to the projects eligible for Industrial Revenue Bonds; amending Section 11-4101, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 410, introduced by Lynch, Brand, Murphy, Kanduch: A bill for an act entitled: "An act amending Section 75-8611, R.C.M. 1947, to provide all veterans with free fees and tuition at any of the units of the University of Montana." Referred to Committee on State Administration.

House Bill No. 411, introduced by Vincent, Kimble, Harper, Palmer, James Moore, Murphy, Luebeck, Teague, Dussault, Gunderson, Stoltz, Bradley, Bardanouve, Scully, Holmes: A bill for an act entitled: "An act creating the office of Montana Ombudsman to provide representation of citizen problems before State agencies; and appropriating money to the office." Referred to Committee on Judiciary.

House Bill No. 412, introduced by Meloy, Huennekens, Vincent: A bill for an act entitled: "An act to extend the scope of the Open Meetings Law; amending Sections 82-3402 and 94-7-401, R.C.M. 1947; repealing Section 75-6127, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 413, introduced by Menahan, C. R. Anderson, Lynch, Quilici, Kanduch, Guthrie, Aageson: A bill for an act entitled: "An act to create a State Reserve Fund that will provide interest free funds to school districts for capital outlay; and amending Sections 75-7104, 75-7107, and Sections 75-7110 through 75-7115, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 414, introduced by Holmes, Rasmussen: A bill for an act entitled: "An act relating to problem pregnancy counseling; establishing an interagency committee to coordinate training for counselors; amending Sections 69-6901, 69-6902, 69-6903, 69-6905, 69-6906, and 69-6907, R.C.M. 1947, and repealing Sections 69-6904 and 69-6908, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 415, introduced by Huennekens: A bill for an act entitled: "An act amending Section 11-1832, R.C.M. 1947, to provide that police in first and second class cities receive two percent longevity of the minimum base monthly salary." Referred to Committee on Local Government.

House Bill No. 416, introduced by Lien, Kummerfeldt, Hubing: A bill for an act entitled: "An act to amend Sections 66-2602.1 and 66-2609, R.C.M. 1947, to provide that the definition of a water well contractor or contractor shall mean only a natural person and shall not include a firm, copartnership, association or corporation, to provide that other securities may be accepted in lieu of surety bond." Referred to Committee on Business and Industry.

House Bill No. 417, introduced by Sivertsen, Ageson, Helmbrecht, Bengtson, South, Fleming, Lockrem, Menahan: A bill for an act entitled: "An act amending Section 84-301, R.C.M. 1947, to include additions or renovation to existing commercial property in class seven (7)." Referred to Committee on Taxation.

House Bill No. 418, introduced by Mular, Kelly, Johnson, Quilici, Lynch: A bill for an act entitled: "An act amending Section 66-2812, R.C.M. 1947, to clarify the exemptions to coverage of the act pertaining to regularly employed maintenance electricians and individuals doing electrical work on their own property." Referred to Committee on Labor and Employment Relations.

House Bill No. 419, introduced by Richards, Huennekens, James Moore, Marks, Rasmussen, Ageson, Bardanoue: A bill for an act entitled: "An act amending Section 37-106, R.C.M. 1947, to require the Attorney General to supply a brief statement of the implication of a vote for or against a proposition on the ballot beside the diagram where the voter is to mark the ballot." Referred to Committee on Judiciary.

House Bill No. 420, introduced by Richards, Bardanoue, Rasmussen: A bill for an act entitled: "An act to establish procedures for the composition, submission, and printing of arguments advocating approval or rejection of initiative and referendum measures, and amending Section 37-107, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 421, introduced by Richards, Rasmussen, Bardanoue: A bill for an act entitled: "An act amending Sections 11-3283, 16-3705, 23-4724, 26-109, and 31-105, R.C.M. 1947, to allow public officers and employees to participate in election campaigns and to protect them from undue employer influence; providing for notice of the provisions of this act; providing penalties; and repealing Section 23-4739, R.C.M. 1947." Referred to Committee on Judiciary.

House Joint Resolution No. 29, introduced by Vincent, Huennekens, Luebeck, Harper, Teague: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Committee on Legislative Priorities appoint a standing committee to study the problem of access to public lands in the state. Referred to Committee on Natural Resources.

House Joint Resolution No. 30, introduced by Harper, Luebeck, Mular, Kelly: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Montana Highway Commission to take immediate steps to correct hazardous conditions at the Harrison Avenue interchange on Interstate Highway 15-90 in Butte, Silver Bow County, Montana. Referred to Committee on Highways and Transportation.

House Joint Resolution No. 31, introduced by Dussault, Harper, Huennekens, Federico, Palmer, Helmbrecht, Johnson: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Human Services Research and Development Project within the Governor's office to consider the merits of dissolving the Department of Institutions and integrating its services elsewhere. Referred to Committee on State Administration.

Driscoll moved that the House adjourn until 1:30 p.m., January 28, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

NINETEENTH LEGISLATIVE DAY

Helena, Montana
January 28, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church.

Pledge of Allegiance to the Flag.

Roll call. All members present except Gerke, Fishbaugh, Lund, and Mercer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eighteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 28, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly enrolled: House Joint Resolution No. 2.

QUILICI, Chairman

January 27, 1975

I have examined House Joint Resolution No. 2 introduced by me and find the same to be correct.

LYNCH

January 28, 1975

The following resolution will be signed on adjournment on January 28, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 2.

Edwin A. Smith, Chief Clerk
House of Representatives

January 27, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution considered correctly engrossed: House Bill No. 97, House Joint Resolution No. 15.

QUILICI, Chairman

January 28, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 33.

QUILICI, Chairman

January 27, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 75.

QUILICI, Chairman

January 28, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 be amended in the introduced bill as follows:

1. Amend title, page 1, line 7.

Following: "1947"

Insert: "; providing an effective date"

2. Amend page 1, section 1, subsection 2, line 23.

Following: "Montana."

Insert: "Section 2. This act is effective upon passage and approval."

And as amended, do pass.

BRAND, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169 do pass.

BRAND, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 206, respectfully report as follows: That House Bill No. 206 do pass.

GUNDERSON, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 do not pass.

BRAND, Chairman

January 6, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the 44th Legislative Assembly:

Larry Thomas	Doorman
Charles Morgan	Doorman
Matthew Buckley	Doorman
Jack Melhose	Assistant to Budd Gould
Robert Applegate	Watchman
James Dick	Watchman
Loren Gunderson	Watchman
Brian Holland	Watchman
Tim McKittrick	Watchman
Steven Marks	Watchman
Rick Thornton	Watchman
James Crane	Watchman

Carl Donovan	Guide
Lori Gibson	Guide
Kathy Kiely	Stenographer
Gloria Barrett	Stenographer
Jean Nydegger	Stenographer

The Committee recommends that the following be employed jointly by the House of Representatives and the Senate of the State of Montana:

Garry South	Public Information Director
Rachael Aageson	Head Guide
Robert Stephens, Jr.	Watchman

LYNCH, Chairman

Report adopted.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 42 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, O'Connell, Quilici, Rasmussen, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 79.

Noes: W. Baeth, Brand, Harper, Huennekens, Luebeck, Murphy, Richards, Wyrick. Total 8.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Driscoll, Ellerd, Gunderson, Holmes, Jacobsen, Lockrem, Meloy, Palmer, Schye. Total 9.

January 28, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Joint Resolution No. 20, respectfully report as follows: That House Joint Resolution No. 20 do pass.

W. BAETH, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Joint Resolution No. 12, respectfully report as follows: That House Joint Resolution No. 12 do not pass.

W. BAETH, Chairman

REPORTS OF SELECT COMMITTEES

January 27, 1975

FREE JOINT CONFERENCE COMMITTEE REPORT ON HOUSE JOINT RESOLUTION 5.

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met on January 27, 1975,

and considered Senate Committee on Finance and Claims amendments dated January 25, 1975, to House Joint Resolution No. 5, and recommend as follows:

That the House accede to the Senate Committee on Finance and Claims amendments to House Joint Resolution No. 5 with the following exceptions:

Item 4. Amend page 2, line 13.

Strike: "4.15"

Insert: "4.17"

Item 5. Page 2, line 17.

Strike: "4.05"

Insert: "4.08"

Item 7. Page 2, line 20.

Strike: "4.05"

Insert: "4.08"

Item 13. Page 4, line 2.

Strike: "4.05"

Insert: "4.08"

Item 14. Page 4, line 3.

Strike: "4.05"

Insert: "4.08"

And further, that the second printing, third reading copy of the House Joint Resolution No. 5 be amended as follows:

1. Amend page 2, line 14.

Strike: "4.05"

Insert: "4.08"

2. Amend page 2, line 15.

Strike: "4.05"

Insert: "4.08"

3. Amend page 2, line 16.

Strike: "4.05"

Insert: "4.08"

4. Amend page 2, line 19.

Strike: "4.05"

Insert: "4.08"

5. Amend page 3, line 7.

Strike: "2.83"

Insert: "2.93"

6. Amend page 4, following line 3.

Insert: "Aide to Representative R. Budd Gould.....\$600.00 per month."

7. Amend page 3, line 1.

Strike: "4.05"

Insert: "4.08"

And that House Joint Resolution No. 5, as amended, do pass.

FOR THE SENATE

THIESSEN
FASBENDER
STEPHENS

FOR THE HOUSE:

KIMBLE
JACK MOORE
MURPHY

Report adopted.

MESSAGES FROM THE OTHER HOUSE

January 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 3 introduced by Regan and Greely

Senate Bill No. 15 introduced by Roberts

Senate Bill No. 26 introduced by Greely (by request of the Governor)

Senate Bill No. 48 introduced by Lynch

Senate Bill No. 62 introduced by Hazelbaker.

Respectfully yours,

John N. Hanson
Secretary of the Senate

January 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on third reading, adopted, on roll call vote:

Free Conference Committee Report on House Joint Resolution No. 5

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Kimble moved that the rules be temporarily suspended and that the Free Joint Conference Committee report on House Joint Resolution No. 5 be placed on Second Reading this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 422, introduced by Mular, Lynch: A bill for an act entitled: "An act to license and tax punch boards and slot machines and to utilize the funds derived to offset local real property taxes, to provide penalties for violation thereof and to repeal Sections 94-8-428 and 94-8-431, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 423, introduced by Brand, Mular, Staigmillier, Kimble, Quilici, Stoltz, Johnson, Dussault, Lynch, Dassinger, Schye, Hubing: A bill

for an act entitled: "An act requiring railroads to install heaters in track motor cars; amending Section 72-668, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 424, introduced by James Moore, Fabrega: A bill for an act entitled: "An act to authorize subsidiary trust companies to have one or more trust offices; to authorize certain banks to maintain one or more trust offices; to provide for substitution in fiduciary capacities; to amend Section 86-905, R.C.M. 1947; and to provide an immediate effective date." Referred to Committee on Judiciary.

House Bill No. 425, introduced by Ellis, Lory, Gould, Lynch, Babcock, R. Baeth, Staigmiller, Luebeck, Tropila: A bill for an act entitled: "An act establishing a program for the control of litter within the state; establishing the Department of Natural Resources and Conservation as the enforcing agency; prohibiting littering and providing fines; establishing the responsibility for the removal of litter; establishing a litter assessment upon certain items; establishing a litter control account within the General Fund; repealing Sections 94-3335 through 94-3344, R.C.M. 1947; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 426, introduced by Kimble, Dussault, Kemmis, Holmes, Lester, Stoltz: A bill for an act entitled: "An act to regulate consumer reporting agencies operating in Montana." Referred to Committee on Business and Industry.

House Bill No. 427, introduced by Kimble, Mular, Lester, Luebeck, Brand, Gilligan: A bill for an act entitled: "An act to amend Sections 69-1601 through 69-1603, 69-1606, and 69-1607, R.C.M. 1947, relating to qualifications and licensing of hoisting engineers; and repealing Section 69-1604, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 428, introduced by Kimble, Mular, Luebeck, Brand: A bill for an act entitled: "An act amending Section 41-701, R.C.M. 1947; providing for procedures for compliance with Section 41-701; and providing procedures to insure payment of standard prevailing rates of wages under public works contracts and penalties for nonpayment." Referred to Committee on Labor and Employment Relations.

House Bill No. 429, introduced by Kimble, Bradley, Fleming, Holmes, Mular, Wolfe: A bill for an act entitled: "An act to appropriate \$122,000 from the General Fund to the Montana Arts Council for participation in matching grant programs available through the National Endowment for the Arts in Washington, D. C. for the purpose of expanding present granting potential and combining federal and state funds in order to initiate or expand services to the people of the State of Montana for the biennium ending June 30, 1977." Referred to Committee on State Administration.

House Bill No. 430 introduced by Kanduch: A bill for an act entitled: "An act to amend Sections 32-21-105 and 32-21-105.1, R.C.M. 1947, related to motorcycles by adding motor-driven cycles to these sections." Referred to Committee on Highways and Transportation.

House Bill No. 431, introduced by Huennekens, Stoltz: A bill for an act entitled: "An act designated as the 'Montana State Grazing Lands Administration Reform Act of 1975'; and providing an effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 432, introduced by Fagg: A bill for an act entitled: "An act to allow counties to issue revenue bonds for public projects necessitated by the development or expansion of major industrial facilities; to

provide that the bonds will be obligations of the major industrial facility as determined by the governing body." Referred to Committee on Local Government.

House Bill No. 433, introduced by Richards, Harper, Vincent, Fleming, James Moore, Meloy, Luebeck: A bill for an act entitled: "An act prohibiting the establishment and operation of nuclear energy facilities in Montana." Referred to Committee on Business and Industry.

House Bill No. 434, introduced by Lory, Ellis: A bill for an act entitled: "An act to amend Section 71-308, R.C.M. 1947, authorizing the Department of Social and Rehabilitation Services to promulgate rules governing medical aid and hospitalization." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 435, introduced by Dussault, Finley, Johnson, Huennekens, Ellis, Brand, Palmer: A bill for an act entitled: "An act to require the owner of a mobile home classed as an improvement to pay the property tax in the same manner as an owner of real estate." Referred to Committee on Taxation.

House Bill No. 436, introduced by Kemmis, Johnson, Federico, Palmer, Dussault, Harper, Lester, Huennekens, Kimble, Luebeck: A bill for an act entitled: "An act to provide for the creation of urban transportation districts; and providing an immediate effective date." Referred to Committee on Local Government.

House Bill No. 437, introduced by Vincent, Harper: A bill for an act entitled: "An act ordering a referendum to amend Section 74-608, R.C.M. 1947, reducing to one and one-fourth percent (1 ¼%) the allowable monthly interest charge on retail charge accounts." Referred to Committee on Judiciary.

House Bill No. 438, introduced by Palmer, Wolfe, Johnson, Sloan, McKittrick, Harper, Meloy: A bill for an act entitled: "An act creating an advisory council to advise the Department of Institutions on correctional matters and to submit nominees to the Governor for appointment to the Board of Pardons." Referred to Committee on State Administration.

House Bill No. 439, introduced by Richards, Babcock, Fagg: A bill for an act entitled: "An act to encourage rehabilitation renovation and reconstruction of real estate improvements by placing the incremental increase in the value of such improvement attributable to such improvement attributable to such rehabilitation renovation and reconstruction into a new class for property taxation purposes; amending Sections 84-301 and 84-302, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 440, introduced by Kimble (by request): A bill for an act entitled: "An act amending Section 84-301, R.C.M. 1947, Class Eight, classification of property for taxation." Referred to Committee on Taxation.

House Bill No. 441, introduced by Kimble, Bradley: A bill for an act entitled: "An act creating a Transportation Commission to study alternative transportation systems and to report to the Legislature; and appropriating funds for the operation of the commission." Referred to Committee on State Administration.

House Bill No. 442, introduced by James Moore, Lockrem: A bill for an act entitled: "An act to repeal Section 64-207.1, R.C.M., 1947, relating to the publication of libelous or defamatory matter by news media, and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 443, introduced by Kimble, Mular, Luebeck, Brand, Gilligan, Johnson: A bill for an act entitled: "An act amending Section 41-701, R.C.M. 1947; providing for procedures for compliance with Section 41-701; providing procedures to insure payment of standard prevailing rates of wages under public works contracts; providing for public posting of a statement of wages; and providing penalties for nonpayment." Referred to Committee on Labor and Employment Relations.

House Bill No. 444, introduced by Kimble, Mular, Luebeck, Brand, Johnson, Gilligan: A bill for an act entitled: "An act to amend Section 69-1601 R.C.M. 1947, relating to licensing of air compressor operators." Referred to Committee on Labor and Employment Relations.

House Bill No. 445, introduced by Travis, Dussault (by request of Social Rehabilitation Service): A bill for an act entitled: "An act relating to public welfare; enacting the interstate compact on the placement of children; amending the Revised Code of Montana 1947, Title 10 by adding a new Chapter 14." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 446, introduced by Menahan: A bill for an act entitled: "An act regarding the qualifications of the Superintendent of the Warm Springs State Hospital; amending Section 80-2402, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 447, introduced by Huennekens: A bill for an act entitled: "An act providing that all fees, taxes, fines, and penalties paid under the Montana Utility Siting Act of 1973 be deposited in the earmarked revenue fund." Referred to Committee on Taxation.

House Bill No. 448, introduced by Huennekens: A bill for an act entitled: "An act amending Section 89-325, R.C.M. 1947, to provide that all fees and fines paid under the Weather Modification Laws (Title 89, chapter 3, R.C.M. 1947) shall be deposited in the earmarked revenue fund; and providing for an immediate effective date." Referred to Committee on Taxation.

House Bill No. 449, introduced by Lynch (by request): A bill for an act entitled: "An act to exclude school districts from the term 'taxing authority,' as used in Chapter 72 of Title 84, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 450, introduced by Johnson, Palmer, Brand, Helmbrecht, Gilligan, Kemmis, Federico, Lester, Dussault, Kimble, Mular: A bill for an act entitled: "An act relating to labor relations and practices; enacting the Montana State Labor Relations Act." Referred to Committee on Labor and Employment Relations.

House Bill No. 451, introduced by Johnson, McKittrick: A bill for an act entitled: "An act providing a grievance procedure before the Board of Personnel Appeals for employees of the Department of Highways and repealing Section 32-2505, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 452, introduced by Johnson, McKittrick: A bill for an act entitled: "An act providing an appeals procedure before the Board of Personnel Appeals for state employees affected by the operation of Title 59, Chapter 9, R.C.M. 1947, amending Section 82A-1014, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 453, introduced by Stoltz, Johnson, Bradley, Shelden, Huennekens, Kimble: A bill for an act entitled: "An act providing for the

suspension of action on certain applications for certificates of environmental compatability and public need for six (6) years during which time a comprehensive Montana Energy Policy and Plan shall be formulated; and providing for an immediate effective date." Referred to Committee on Natural Resources.

House Bill No. 454, introduced by Bardanouve: A bill for an act entitled: "An act amending the Outdoor Advertising Act by prohibiting certain outdoor advertising directed at and visible from an interstate or primary highway, but more than six hundred sixty feet therefrom; by adding a definition of 'urban area'; by limiting the definition of 'unzoned commercial or industrial area' to a depth of six hundred sixty feet; by providing for permitting, regulation and acquisition of outdoor advertising legally in existence before the effective date hereof, but not conforming to the standards herein established; and by providing an effective date hereof." Referred to Committee on Highways and Transportation.

House Bill No. 455, introduced by Bardanouve, Lynch: A bill for an act entitled: "An act amending Section 93-212, R.C.M. 1947, to provide that the members of the Supreme Court shall sign all decisions." Referred to Committee on Judiciary.

House Bill No. 456, introduced by James Moore: A bill for an act entitled: "An act to impose a fee of two (2) dollars upon civil actions to reimburse the General Fund of the State of Montana for recodification appropriations." Referred to Committee on Judiciary.

House Bill No. 457, introduced by Gilligan, Johnson, Lynch: A bill for an act entitled: "An act providing that submission of a negotiated settlement to the Legislature may meet State Government's requirement of negotiating in good faith, amending Section 59-1605, R.C.M. 1947, and providing for an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 458, introduced by Gilligan, Johnson, Lynch: A bill for an act entitled: "An act to insure that anything relevant to the determination of reasonable classifications and grade levels for state employees shall be a negotiable item appropriate for consideration under the provisions of the Collective Bargaining Act for public employees, amending Section 59-907, R.C.M. 1947; and providing for an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 459, introduced by Menahan, Lynch: A bill for an act entitled: "An act prohibiting school districts from spending General Fund budget moneys for the purpose of paying dues to private organizations not to include scholastic or academic organizations." Referred to Committee on Education.

House Bill No. 460, introduced by James Moore (by request): A bill for an act entitled: "An act to provide for a hearing on an alleged violation of youth's aftercare agreement, amending Section 80-1414, R.C.M. 1947, and repealing Section 80-1416, R.C.M. 1947." Referred to Committee on Judiciary.

House Joint Resolution No. 32, introduced by Kummerfeldt, Stoltz, Day, Fleming, Lien, Lund: A Joint Resolution of the Senate and the House of Representatives of the State of Montana in support of and endorsing the proposed legislative changes contained in United States Senate Bill No. 3910. Referred to Committee on Agriculture, Livestock and Irrigation.

House Joint Resolution No. 33, introduced by Helmbrecht, Palmer, James Moore, Stoltz, Lester, O'Connell, Dussault, Johnson, Gilligan, W.

Baeth, Sivertsen: A Joint Resolution of the Senate and the House of Representatives of the State of Montana endorsing the concept of defining obscenity by local contemporary community standards as such concept was enunciated by the United States Supreme Court. Referred to Committee on Judiciary.

House Joint Resolution No. 34, introduced by Teague, Guthrie, Hager, Fagg, McFadden, Bengtson, Dassinger, Williams, Gerke, Federico, Conroy, Day, Huennekens, O'Connell, Tropila, Robbins, Mercer, Wyrick, Holmes, Lester, Fishbaugh, Lockrem: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Board of Regents to elevate the status of Eastern Montana College to University status. Referred to Committee on Education.

House Joint Resolution No. 35, introduced by Lester, Holmes, Palmer, Kimble, James Moore, Helmbrecht: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting the office of the Governor, in conjunction with the Montana Criminal Justice Standards and Goals Advisory Council, the Montana Board of Crime Control, the Board of Pardons, the Department of Institutions and other relevant state, and local agencies to study the correctional system in Montana and to make recommendations to the Forty-fifth Legislature concerning structural and organizational alternatives for the coordinated delivery of correctional services. Referred to Committee on Judiciary.

House Joint Resolution No. 36, introduced by Mular, Kimble, Conroy, Johnson, Dussault, Luebeck, Federico, Palmer, Huennekens, Gilligan, James Moore, McFadden, Staigmiller, Finley: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Civil Aeronautics Board of the Department of Transportation to establish regulations which would provide for continued air service during periods when an airline providing sole service is shutdown; and requesting the Montana Congressional Delegation to introduce legislation which would abolish mutual aid facts among airlines. Referred to Committee on State Administration.

House Joint Resolution No. 37, introduced by Driscoll, Meloy: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting a wage and salary plan to the Legislature for approval in accordance with Section 6, Chapter 440, Laws of Montana 1973. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 3, introduced by Regan, Greely: A bill for an act entitled: "An act to repeal Sections 10-301 through 10-310, R.C.M. 1947, pertaining to apprenticing of minors." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 15, introduced by Roberts: A bill for an act entitled: "An act amending Section 23-3304, R.C.M. 1947, to provide an alternative means of ballot access to candidates who cannot afford to pay filing fees." Referred to Committee on Judiciary.

Senate Bill No. 26, introduced by Greely (by request of the Governor): A bill for an act entitled: "An act to generally revise the political criminal libel and disclaimer requirements of Montana's election laws; amending Section 23-4754; repealing Section 23-4774, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 48, introduced by Lynch: A bill for an act entitled: "An

act to provide that an auto liability insurer may not refuse to renew an insurance policy except for nonpayment of premium or suspension or revocation of a driver's license; amending Section 40-4409, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 62, introduced by Hazelbaker: A bill for an act entitled: "An act to amend Section 66-3330, R.C.M. 1947, to provide for an earmarked revenue fund for private investigators and to provide for the purpose for which funds may be expended by the Department of Professional and Occupational Licensing." Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Huenekens in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 28, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 162 do pass. (88-3)

That House Bill No. 10 be passed for the day.

That House Bill No. 22 do pass. (91-0)

That the Free Joint Conference Committee Report on House Joint Resolution No. 5 be adopted. (94-0)

That the Committee rise and report and beg leave to sit again.

HUENNEKENS, Chairman

Report adopted.

MOTIONS

Driscoll moved that the rules be temporarily suspended and that the Free Conference Committee Report on House Joint Resolution No. 5 be placed on Third Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Free Joint Conference Committee Report on House Joint Resolution No. 5 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huenekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden,

Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Meloy, Schye. Total 2.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Huennekens in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 28, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 26 do pass. (65-18)

That House Bill No. 75 do pass. (72-19)

That House Bill No. 78 do pass. (63-24)

That House Bill No. 92 do pass. (84-2)

That House Bill No. 109 do pass. (89-0)

That House Bill No. 150 be amended as follows:

1. Amend title, page 1, line 6.

Following: "at"

Insert: "not less than" (82-0)

And as amended, do pass. (88-0)

That House Bill No. 151 do pass. (83-0)

That House Bill No. 184 do pass. (67-18)

That House Bill No. 185 do pass. (86-0)

That House Bill No. 187 do pass. (86-1)

That House Joint Resolution No. 14 do pass. (85-2)

That House Joint Resolution No. 22 do pass. (73-17)

That the Committee rise and report.

HUENNEKENS, Chairman

As a substitute motion, Vincent moved that House Bill No. 184 be segregated from the Committee of the Whole Report and as amended, the report be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

January 28, 1975

I have examined House Joint Resolution No. 5 introduced by me and find the same to be correct.

BARDANOUVE

January 28, 1975

The following resolution will be signed at 3:30 p.m. on January 28, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 5.

Edwin A. Smith, Chief Clerk
House of Representatives

January 28, 1975

The following resolution was signed in the office of the Speaker of the House of Representatives on January 28, 1975. House Joint Resolution No. 5.

Edwin A. Smith, Chief Clerk
House of Representatives

January 28, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly enrolled: House Joint Resolution No. 5.

QUILICI, Chairman

January 28, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution correctly printed: House Bill No. 45, House Joint Resolution No. 16.

QUILICI, Chairman

January 28, 1975

The following resolution will be signed on adjournment on January 28, 1975, in the office of the Speaker of the House of Representatives: Senate Joint Resolution No. 2.

Edwin A. Smith, Chief Clerk
House of Representatives

January 27, 1975

I have examined House Bill No. 6 introduced by me and find the same to be correct.

STOLTZ

January 28, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 6.

QUILICI, Chairman

January 28, 1975

The following bill will be signed on adjournment on January 28, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 6.

Edwin A. Smith, Chief Clerk
House of Representatives

January 28, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), line 19.

Following: "property"

Strike: "shall be"

Insert: "is"

2. Amend page 1, section 1, subsection (2), line 23.

Following: "thereon"

Insert: "provided, however, if the property subject to judicial review is located in more than one county, then the petition for judicial review will be filed in any one of the counties in which the property is located"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 do pass.

HUENNEKENS, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 17, respectfully report as follows: That House Joint Resolution No. 17 do pass.

BRADLEY, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 21, respectfully report as follows: That House Joint Resolution No. 21 be amended in the introduced bill as follows:

1. Page 1, lines 18, 19 and 20.

Strike: These lines in their entirety.

2. Page 2, line 5.

Following: "Board"

Insert: "of Canada"

3. Page 2, line 16.

Following: "to"

Insert: "assume the responsibility for and"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 be amended in the introduced bill as follows:

1. Amend page 1, the title, line 6.

Following: "physicians;"

Insert: "and providing an effective date"

2. Amend page 1, section 1, line 17.

Following: "assistants"

Strike: " , "

Insert: "or"

3. Amend page 1, section 1, line 17.

Following: "medex"

Strike: " , and by other names"

4. Amend page 2, section 3, subsection (1), line 18.

Following: "standards"

Insert: "specifications"

5. Amend page 2, section 3, subsection (2), line 20.

Following: "approval"

Insert: " , length of time"

6. Amend page 3, section 3, subsection (4), lines 16 through 19.

Strike: "No physician's assistant may be utilized in a place other than that of the supervising physician's regular place of treating patients unless personally accompanying the supervising physician."

Insert: "No physician's assistant may be utilized in any place in which the supervising physician regularly practices without the approval of the supervising physician, with the exception of performing services in a licensed hospital unless granted such a privilege by the facility in accordance with its standing policy or unless personally accompanied by the supervising physician."

7. Amend page 3, section 3, subsection (4), line 25.

Following: " , "

Insert: "No physician's assistant may prescribe drugs unless specifically granted approval to do so by the board in writing. No physician's assistant may practice any duties which do not lie within the legal scope of the supervising physician's licensure."

In the event of improper prescription by a physician's assistant, the pharmacist shall not be liable."

8. Amend page 4, following line 11.

Insert: a new section 6 and 7 as follows:

"Section 6. Nothing in this act shall be construed to authorize a physician's assistant to perform those functions and procedures specifically delegated by law only to a person licensed as a chiropractor as defined in chapter 5 of title 66; as a podiatrist as defined under chapter 6, title 66; as a dentist or dental hygienist as defined under chapter 9, title 66; as an optometrist as defined under chapter 13, title 66; or as a pharmacist as defined under chapter 15, title 66; unless these functions and procedures: (a) are commonly practiced by the employing physician, and (b) have been a part of the training of the physician's assistant, which part of his individual training has been specifically approved in writing by the

board which licenses persons other than physicians, to practice such functions and procedures.

Section 7. This act is effective on January 1, 1976."

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), line 18.

Following: "blind"

Strike: " , "

Insert: "and"

2. Amend page 1, section 1, subsection (2), lines 18 and 19.

Following: "handicapped"

Strike: " , and the otherwise physically disabled"

3. Amend page 1, section 1, subsection (3), line 23.

Following: "blind"

Strike: " , "

Insert: "and"

4. Amend page 1, section 1, subsection (3), lines 23 and 24.

Following: "handicapped"

Strike: " , and the otherwise physically disabled"

5. Amend page 4, section 5, subsection (1), line 11.

Following: "persons"

Strike: " , "

Insert: "and"

6. Amend page 4, section 5, subsection (1), line 12.

Following: "handicapped"

Strike: "persons, and other physically disabled"

7. Amend page 5, section 5, subsection (3), line 4.

Following: "person"

Strike: " , "

Insert: "or a"

8. Amend page 5, section 5, subsection (3), line 5.

Following: "handicapped"

Strike: "person, or other physically disabled"

9. Amend page 5, section 5, subsection (3), line 6.

Following: "not"

Strike: "physically"

Insert: "so"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 be amended in the introduced bill as follows:

1. Page 2, section 1, subsection (3), line 6.

Following: "use"

Insert: ", provided, however, that any water right or water use permit can be converted to a reservation of waters consistent with the provisions in sections 89-892 and 89-893 of the Montana Water Use Act"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

January 28, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 199, respectfully report as follows: That House Bill No. 199 do not pass.

HUENNEKENS, Chairman

MOTIONS

Fabrega moved that House Bill No. 10 be rereferred to the Committee on Judiciary.

Motion carried.

Dussault moved that House Bill No. 355 be rereferred from the Committee on Public Health to the Committee on Education.

Motion carried.

Murphy moved that House Bill No. 66 be rereferred from the Committee on Agriculture to the Committee on Taxation.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 67 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sheldon, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Seifert, Smith. Total 2.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Babcock, Day, Robbins. Total 3.

House Bill No. 89 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Ellerd, Ellison, Schye. Total 3.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Wood. Total 1.

House Bill No. 97 passed by the following vote.

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 80.

Noes: Aageson, Brand, Gwynn, Holmes, Hubing, Kvaalen, Lockrem, Marks, James Moore, Richards, Seifert, Sivertsen, Sloan, Staigmiller, Underdal, Wyrick. Total 16.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: None.

House Bill No. 140 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe. Total 83.

Noes: Asher, Brand, Dassinger, Day, Huennekens, Marks, Richards, Smith, Wyrick, Yardley, Mr. Speaker. Total 11.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Travis, Wood. Total 2.

House Joint Resolution No. 15 passed by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 86.

Noes: C. R. Anderson, Guthrie, Gwynn, Kvaalen, Schye, Seifert, Wyrick. Total 7.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Hager, Kropp, Wood. Total 3.

Senate amendments to House Bill No. 7 were concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: C. R. Anderson, Jack Moore, Mular. Total 3.

Excused: Fishbaugh, Gerke, Lund, Mercer. Total 4.

Absent or not voting: Bardanouve, Schye, Travis. Total 3.

Driscoll moved that the House adjourn until 1:30 p.m., January 29, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTIETH LEGISLATIVE DAY

Helena, Montana
January 29, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Marks, Johnson, excused; Thomas, Federico, absent.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Nineteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

January 28, 1975

To: House Speaker Pat McKittrick
From: Representative Roberto M. Federico
Subject: Absence request

I, Representative Roberto M. Federico, formally and respectfully request an excused leave of absence from all legislative duties beginning on Friday, January 31, 1975, and returning Sunday evening, February 2, 1975.

A segment of my district, the Mexican-American community, have invited me to speak at a federal-state information clinic designed to give information on federal-state programs affecting the Mexican-American. Because of this speaking engagement, I request this leave be granted.

Respectfully submitted,

Roberto M. Federico
Representative District 61

REPORTS OF STANDING COMMITTEES

January 28, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bill No. 127, House Bill No. 138.

QUILICI, Chairman

January 29, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution correctly printed: House Bill No. 194, House Joint Resolution No. 17.

QUILICI, Chairman

January 28, 1975

Mr. Speaker: The Committee on Bills reports the following bills and

resolution correctly printed: House Bill No. 169, House Bill No. 206, House Joint Resolution No. 20.

QUILICI, Chairman

January 29, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions considered correctly engrossed: House Bill No. 26, House Bill No. 75, House Bill No. 78, House Bill No. 92, House Bill No. 109, House Bill No. 151, House Bill No. 185, House Bill No. 187, House Joint Resolution No. 14, House Joint Resolution No. 22.

QUILICI, Chairman

January 28, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 162.

QUILICI, Chairman

January 28, 1975

The following bill and resolutions were signed in the office of the Speaker of the House of Representatives on January 28, 1975: House Joint Resolution No. 2, House Bill No. 6, Senate Joint Resolution No. 2.

Edwin A. Smith, Chief Clerk
House of Representatives

January 29, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Joint Resolution No. 23, respectfully report as follows: That House Joint Resolution No. 23 do pass.

GERKE, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 do pass.

GERKE, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 do pass.

GERKE, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 do not pass.

GERKE, Chairman

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following: "within"

Strike: "four (4)"

Insert: "three (3)"

2. Amend page 3, section 1, subsection 6, line 3.

Strike: "four (4)"

Insert: "three (3)"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (4), line 21.

Following: "places"

Strike: "selling intoxicating beverages or other places"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 196, respectfully report as follows: That House Bill No. 196 do pass.

HUENNEKENS, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do pass.

HUENNEKENS, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 118, respectfully report as follows: That House Bill No. 118 do pass.

HUENNEKENS, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 34, respectfully report as follows: That House

Bill No. 34 do not pass.

HUENNEKENS, Chairman

MESSAGE FROM THE OTHER HOUSE

January 28, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 30 introduced by Drake, Thiessen, Himsl, et al

Senate Bill No. 63 introduced by Lynch (by request of Rules Committee)

Senate Bill No. 82 introduced by Norman, Hazelbaker

Senate Bill No. 88 introduced by Hazelbaker (by request of Workmen's Compensation)

Senate Bill No. 99 introduced by Lee (by request of Workmen's Compensation)

Senate Bill No. 107 introduced by R. Smith (by request of Workmen's Compensation Division)

Senate Bill No. 114 introduced by Mehrens (by request of Workmen's Compensation)

Senate Bill No. 119 introduced by Norman.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that House Bill No. 369 be rereferred from the Committee on Business and Industry to the Committee on Natural Resources.

Motion carried.

Thomas present at this time.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 461, introduced by Kimble (by request): A bill for an act entitled: "An act amending Section 87-109, R.C.M. 1947, specifying the method by which the state, political subdivisions, instrumentalities, and local governmental units are to make payments to the Employment Security Division, Montana State Department of Labor and Industry, and establishing fluctuating rates of return based upon the trust fund balance; providing a new method for voluntary payments; and providing an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 462, introduced by Kimble, Luebeck, Harper, Gilligan, Johnson, Lynch, Menahan: A bill for an act entitled: "An act amending Sections 75-6116 through 75-6120, R.C.M. 1947, relating to the 'Professional Negotiations Act for Teachers'; and repealing Sections 75-6121, 75-6123, 75-6124, and 75-6126, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 463, introduced by Jacobsen (by request): A bill for an act entitled: "An act providing interpreters for deaf persons in legal proceedings." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 464, introduced by Sloan (by request): A bill for an act entitled: "An act to amend Section 8-110, R.C.M. 1947, to exempt from the Class C motor carrier certificate requirements, carriers operating pursuant to the terms and conditions of a contract with the state or an agency or department thereof; and providing for an immediate effective date." Referred to Committee on Highways and Transportation.

House Bill No. 465, introduced by Hager, Brand: A bill for an act entitled: "An act increasing from two dollars to three dollars the amount charged for the issuance of an original certificate of ownership of title and for a transfer of registration; providing that the amount remitted to the Registrar of Motor Vehicles by the County Treasurer be increased from one dollar to two dollars; and amending Section 53-112, R.C.M. 1947." Referred to Committee on Highways and Transportation.

House Bill No. 466, introduced by W. Baeth: A bill for an act entitled: "An act to amend Section 31-135, R.C.M. 1947, requiring a written examination on the renewal of operator's or chauffeur's license or motorcycle endorsement; and providing for a delayed effective date." Referred to Committee on Highways and Transportation.

House Bill No. 467, introduced by Menahan, Brand: A bill for an act entitled: "An act to amend Section 66-3208, R.C.M. 1947, relating to qualifications for licensure as a psychologist." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 468, introduced by Kelly, Mular, Gilligan (by request of the Department of Highways and Transportation): A bill for an act entitled: "An act to amend Section 32-2143, R.C.M. 1947, providing a penalty for reckless driving which results from an attempt to flee or elude a police officer." Referred to Committee on Judiciary.

House Bill No. 469, introduced by Committee on Business and Industry: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Business Regulation." Referred to Committee on Business and Industry.

House Bill No. 470, introduced by Kimble, Stoltz, Fleming, Helmbrecht: A bill for an act entitled: "An act to amend Section 75-8705, R.C.M. 1947, to revise the requirements for qualification of persons of Indian blood for fee waivers." Referred to Committee on Education.

House Bill No. 471, introduced by Kimble (by request): A bill for an act entitled: "An act to amend Sections 69-4519 and 69-4509, R.C.M. 1947, by providing an increase in fines and declaring each day of violation a separate offense, permitting injunctive action; and creating a new section providing for County Attorney to serve as legal advisor for local Boards of Health." Referred to Committee on Judiciary.

House Bill No. 472, introduced by Bardanoue, Richards, Driscoll, Ellis, Kemmis, Meloy, Menahan, Kanduch, Wolfe, Gunderson, Thomas, Staigmiller, Lory: A bill for an act entitled: "An act to increase the minimum rentals and to authorize the Board of Land Commissioners to establish the rental and royalty rates for oil and gas leases on state lands by amending Sections 81-1702.1 and 81-1704, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 473, introduced by Fagg, Lockrem, Bradley, Hager,

Kemmis, Schye, Meloy, Bardanouve, Menahan, McKittrick, Ellerd, Marks, Driscoll, Lynch: A bill for an act entitled: "An act requiring the adoption of rules to promote conservation and efficient use of energy in the state building code; amending Sections 69-2110 and 69-2111, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 474, introduced by Bertelsen, Kropp, Johnston: A bill for an act entitled: "An act to amend Section 23-3023, R.C.M. 1947, to delete the requirement of listing a registry number on a posted list of electors." Referred to Committee on Judiciary.

House Bill No. 475, introduced by Travis, Kimble, Lory, Scully, Gilligan, Federico, Holmes, Palmer, Vincent, Teague, Stoltz, Gunderson: A bill for an act entitled: "An act to eliminate the requirement that an applicant for a teacher certificate subscribe to an oath of allegiance, by amending Section 75-6004, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 476, introduced by Federico: A bill for an act entitled: "An act to provide for nonpayment of fees for persons of Mexican-American descent for enrollment in the State University System." Referred to Committee on Education.

House Bill No. 477, introduced by Vincent, Harper, Luebeck, James Moore, Meloy, Huennekens, Dussault, Bradley, Holmes, W. Baeth: A bill for an act entitled: "An act freezing the appraisal and assessment of certain owner-occupied residences." Referred to Committee on Taxation.

House Bill No. 478, introduced by Driscoll (by request of House Joint Resolution 18 study committee): A bill for an act entitled: "An act to amend Section 69-4110, R.C.M. 1947, to require the Department of Health and Environmental Sciences to develop local programs for provision of a statewide minimum of public health services." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 479, introduced by Kropp, Bertelsen, Johnston, Ellison, Hubing, Smith: A bill for an act entitled: "An act restricting the importation of diseased alfalfa leafcutter bees into Montana." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 480, introduced by Ellerd, Casey, Asher, Seifert, Conroy, Brand, Mular, Johnston, Scully, Gunderson, Sivertsen, Fleming, Hageman, Halvorson, Ageson, Staigmiller, Lien, Fagg, Stoltz, Ellison, Guthrie, W. Baeth, Bengtson, Manuel: A bill for an act entitled: "An act to amend Section 82A-1303, R.C.M. 1947, to increase the membership of the Board of Livestock; to provide for the qualifications of members of the board; to provide for replacement of existing members as they vacate office; to provide for disqualification for conflicts of interest; and providing for an immediate effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

House Joint Resolution No. 38, introduced by Harper, Luebeck, Fleming: A Joint Resolution of the Senate and The House of Representatives of the State of Montana urging the Governor's Federal-State Coordinator, the Department of Intergovernmental Relations, the Superintendent of Public Instruction and the Fire Marshal's Bureau to investigate all avenues of funding for the master plan of the training and educational system for the Montana Fire Service. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 30, introduced by Drake, Thiessen, Himsl, Dunkle, Roskie, Towe: A bill for an act entitled: "An act requiring the Attorney General to give written opinions to the governing body of any city or town upon any question of law relating to the offices of the governing body; amending Section 82-401, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 63, introduced by Lynch (by request of Rules Committee): A bill for an act entitled: "An act repealing Section 43-903, R.C.M. 1947, relating to the media and free sets of proceedings of the Legislature; and providing an effective date." Referred to Committee on Legislative Administration.

Senate Bill No. 82, introduced by Norman, Hazelbaker: A bill for an act entitled: "An act amending Section 92-706.1, R.C.M. 1947, relating to medical benefits under the Workmen's Compensation Act, by adding a provision requiring the employer or insurer to repair or replace damaged or lost eyeglasses and dentures." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 88, introduced by Hazelbaker (by request of Workmen's Compensation Division): A bill for an act entitled: "An act amending Section 92-706.1, R.C.M. 1947, of the Workmen's Compensation Act, by removing references to time limitations on medical benefits so that the Montana Medical Benefit Provision under The Workmen's Compensation Act complies fully with the report of the National Commission on State Workmen's Compensation Laws." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 99, introduced by Lee (by request of Workmen's Compensation): A bill for an act entitled: "An act amending Section 92-411, R.C.M. 1947, by changing the salary upon which premiums are collected for sole proprietors and partners under the Workmen's Compensation Act, and providing that the salary shall also be used for the determination of compensation benefits." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 107, introduced by R. Smith (by request of Workmen's Compensation Division): A bill for an act entitled: "An act amending Section 92-413, R.C.M. 1947, of the Workmen's Compensation Act by changing the age for beneficiaries who are full time students in accredited schools from 22 years to 25 years so that the Montana death benefits for workmen's compensation complies completely with the report of the National Commission on State Workmen's Compensation Laws." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 114, introduced by Mehrens (by request of Workmen's Compensation): A bill for an act entitled: "An act allowing the Division of Workmen's Compensation to order insurers to pay workmen's compensation benefits subject to a subsequent hearing, and subject to reimbursement for nonliability." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 119, introduced by Norman: A bill for an act entitled: "An act amending Section 92-1114, R.C.M. 1947, of the Workmen's Compensation Act by deleting the sheriffs' notice requirement when the division cancels an employer under Plan No. 3 for failure to pay premiums to the division; and providing an effective date." Referred to Committee on Labor and Employment Relations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 127 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Marks. Total 1.

Absent or not voting: Federico, Huennekens, Johnson, Palmer. Total 4.

House Bill No. 138 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Casey, Huennekens, Lund. Total 3.

Excused: Johnson, Marks. Total 2.

Absent or not voting: Bertelsen, Brand, Federico, Hageman, Hubing, Palmer, Stoltz. Total 7.

House Bill No. 162 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 85.

Noes: Gwynn, Hubing, Johnston, Mercer, Mular, Seifert, Sivertsen, Smith, Wyrick. Total 9.

Excused: Johnson, Marks. Total 2.

Absent or not voting: Ellison, Federico, Palmer, Wood. Total 4.

Senate Bill No. 16 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Johnson, Marks. Total 2.

Absent or not voting: Brand, Federico, Hager, Palmer, Schye. Total 5.

Federico present at this time.

SPECIAL ORDERS OF THE DAY

A committee from the Senate composed of Healy, Richard Smith, and Ed Smith entered to notify the House that the Senate was ready to convene in Joint Session.

Members of the Senate were admitted to the House.

Lynch moved that a Joint Session be formed for the Big Sky Platoon Ceremony.

Motion carried.

The Legislature being in Joint Session, Senate President Gordon McOmber occupied the Chair.

Lieutenant Governor Bill Christiansen and members of the official party were admitted to the House.

Lieutenant Colonel Wendall L. Pelham, Commander of the Helena District Recruiting Command, United States Army, briefly addressed the Assembly regarding the new Big Sky Platoon, and introduced Major General Vessey, Jr., who administered the oath of the United States Army to the members of the Platoon.

Lynch moved adoption of the following Joint Legislative Resolution, duly carried.

JOINT LEGISLATIVE RESOLUTION

A Joint Resolution of the Senate and the House of Representatives of the State of Montana commending the staff of the U. S. Army District Recruiting Command in Montana for its accomplishments within the concepts of the new Volunteer Army.

Whereas, the Volunteer Army is taking new and bold steps to accommodate our country's citizens' desires to build for this great country a smaller, more professional military force; and

Whereas, the Volunteer Army has initiated new programs providing continuing education and job-training opportunities for both young men and women, entirely contemporary and in tune with the needs of the larger society it serves and protects; and

Whereas, the Volunteer Army has dramatically increased its public image in Montana by guaranteeing our brightest and most promising young men and women the opportunity for advanced education and training in more than 300 different jobs, that they might well become more responsive citizens of Montana and of our nation; and

Whereas, the Volunteer Army has proven it can provide sufficient numbers of young men and women from Montana and from across our nation to ensure our citizens they may live peacefully in a free and democratic society; and

Whereas, the Volunteer Army offers young men and women the opportunity to serve one's country — a highly honorable vocation, meriting the respect and esteem of all Americans; and

Whereas, the staff of the Helena District Recruiting Command, under the direction of Lieutenant Colonel Wendall L. Pelham, has honorably pursued and achieved its purpose in Montana.

Now, Therefore, Be It Resolved, the House of Representatives of the State of Montana commends Lieutenant Colonel Pelham and his staff, Major Harry H. McWilliams; Captain Vaughn D. Brauer; 1st Lieutenant Cynthia S. Guynn and Major David B. Menig, Commanding Officer of the Armed Forces Examining and Entrance Station in Butte, for their dedication to duty and for the manner in which each of these officers represented the U. S. Army while stationed in Montana.

Be It Further Resolved, copies of this Resolution will be sent to Montana Governor Thomas L. Judge and members of Montana's Congressional Delegation, in hopes each of them will personally send letters of commendation to the aforementioned officers.

REPRESENTATIVE ROBBINS

Sponsor

PAT McKITTRICK

Speaker of the House

GORDON McOMBER

President of the Senate

The Lieutenant Governor and members of the official party were escorted from the chamber.

It was moved by Senator Lynch that the Joint Session be dissolved and that the members of the Senate return to the Senate Chambers.

The Joint Session having been dissolved, the House resumed business at 2:30 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 28, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 14.

Following: "preserve"

Strike: "selected segments of"

Insert: "designated"

2. Amend page 1, section 1, line 15.

Following: "from"

Strike: "locally unwanted"

Insert: "certain"

3. Amend page 1, section 2, subsection (1), lines 21 through 25.

Following: "(1)"

Strike: The material in its entirety.

Insert: "Free flowing river" means a river, or section of a river, which exists or flows in a natural condition without impoundment, diversion, straightening, rip-rapping, or other modification, except as hereinafter provided, and which has a mean discharge of 25 cubic feet per second and a mean surface water width of at least 25 feet, and which measures at least 5 miles in length. The existence of low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the Montana wild and scenic rivers system shall not automatically bar its consideration for such inclusion.

(2) 'Mean discharge' is the arithmetic average of individual daily mean discharges during normal water years throughout the designated free flowing river.

(3) 'Mean surface water width' is the average width throughout the designated free flowing river, measured during periods of mean discharge."

Renumber: Subsequent subsections.

4. Amend page 2, section 3, subsection (1), lines 18 and 19.

Following: "area"

Strike: "a part or parts of any watercourse"

Insert: "any free flowing river"

5. Amend page 2, section 3, subsection (1), line 20.

Following: "possess"

Insert: "agricultural,"

6. Amend page 2, section 3, subsection (1), line 23.

Strike: "the watercourse"

Insert: "such free flowing river"

7. Amend page 2, section 3, subsection (1), line 24.

Following: "of the"

Strike: "watercourse"

Insert: "designated area"

8. Amend page 3, section 3, subsection (1), line 1.

Following: "of the"

Strike: "watercourse"

Insert: "river"

9. Amend page 3, section 3, subsection (1), line 8.

Following: "within"

Strike: "one"

Insert: "each"

10. Amend page 3, section 3, subsection (2), line 13.

Following: "conservation"

Strike: "shall"

Insert: "may"

11. Amend page 3, section 3, subsection (2), line 13.

Following: "modify the"

Strike: "scenic"

Insert: "wild, scenic or recreational"

12. Amend page 3, section 3, subsection (2), lines 14 and 15.

Following: "board"

Strike: "shall approve a proposal for any part of a"

Insert: "may approve a proposal for any free flowing"

13. Amend page 3, section 3, subsection (2), line 16.

Following: "judgment"

Insert: "agricultural,"

14. Amend page 3, section 3, subsection (3), lines 20 and 21.

Following: "permit"

Strike: "any agent of the department to enter on"

Insert: "unauthorized entry upon"

15. Amend page 3, section 3, subsection (3), line 22.

Following: "rights"

Insert: "and grazing rights"

16. Amend page 4, section 4, line 1.

Following: "of any"

Strike: "watercourse"

Insert: "free flowing river"

17. Amend pages 4 and 5, section 6, lines 25 (page 4) and lines 1 and 2 (page 5)

Following: "composed of"

Strike: "not more than ten (10) persons representative of local government and local organizations and interests in the vicinity of the river area"

Insert: "at least seven (7) persons representative of interests in the designated area and fairly proportionate to those interests"

18. Amend page 5, section 6, line 8.

Following: "affect the"

Strike: "local interests"

Insert: "interest therein"

19. Amend page 5, section 7, subsection (1), line 11.

Following: "a"

Strike: "scenic"

Insert: "wild, scenic or recreational"

20. Amend page 5, section 7, subsection (2), line 12.

Following: "of the"

Strike: "scenic"

Insert: "wild, scenic or recreational"

21. Amend page 5, section 7, subsection (3), line 15.

Following: "within the"

Strike: "scenic"

Insert: "wild, scenic or recreational"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

MOTIONS

Huennekens moved that House Bill No. 319 be rereferred from the Committee on Agriculture, Livestock and Irrigation to the Committee on Natural Resources.

Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Fagg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 29, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 33 do pass. (90-5)

That House Bill No. 45 do pass. (92-0)

That House Bill No. 169 do pass. (88-0)

That House Bill No. 184 be amended as follows:

1. Amend page 1, section 1, subsection (1), lines 14 and 15.

Following: "and"

Strike: the remainder of the sentence.

Insert: "as closely as possible, equal in area. The board shall place priority on exchanges which result in consolidation of state lands into more compact bodies." (87-4)

And be further amended:

2. Amend page 1, section 1, subsection (2), line 20.

Following: "exchanged."

Insert: "When specific objections to the proposed exchange are raised during any such hearing, the board shall make findings of fact responding to such objections and explaining their action. Any interested party may seek judicial review of the board's action." (53-40)

And be further amended:

3. Amend page 1, section 1, subsection (3), line 25.

Following: "water."

Insert: a new subsection (4) to read as follows:

"(4) No such exchange shall be made which will induce or encourage large-scale commercial, industrial, or residential development unless the value of such development is considered in determining the fair market value and unless the proposed development will not adversely affect the resources of the existing state tracts or those tracts which the state would receive under the proposed exchange." (60-30)

And as amended, do pass. (79-16)

That House Bill No. 206 do pass. (89-6)

That House Joint Resolution No. 11 do pass. (52-45)

That House Joint Resolution No. 16 do pass. (56-40)

That House Joint Resolution No. 20 do pass. (66-29)

That the Committee rise and report.

FAGG, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

January 29, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 22.

QUILICI, Chairman

Objection raised by Gould on adverse committee report on House Bill No. 199. Referred to Second Reading.

January 29, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do pass.

KIMBLE, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Strike: "the County General Fund for"

Insert: "additional amounts collected as a result of"

2. Amend page 1, Section 1, lines 20, 21, and 22.

Following: "reimbursed from"

Strike: "the county general fund by the county or counties in which the property is located."

Insert: "the amount collected as a result of the audit."

3. Amend page 1, Section 1, line 24.

Following: "among the"

Insert: "collections due each of the"

4. Amend page 2, Section 1, line 1.

Following: "department"

Strike: " "

Insert: "and may not exceed the amounts collected."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Taxation, having had under con-

sideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 be amended in the introduced bill as follows:

1. Amend title, page 1, line 4.

Following: "provide"

Insert: "for a popular vote on the question of"

2. Amend page 1, Section 1, line 19, 20, 21.

Following: "44-212."

Strike: "Each biennium the legislature shall appropriate funds for this purpose."

3. Amend page 5, Section 6, lines 21-25.

Strike: Subsection (2) in its entirety.

Insert: "(2) Upon approval of the electors of this state to be determined by their vote at the general election to be held in November, 1976, the legislature shall levy a property tax of not more than one (1) mill on the taxable value of all real and personal property each year for ten (10) years beginning with the year 1977. All revenue from this property tax levy shall be appropriated to the state library commission for the support of public library federations."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181 be amended in the introduced bill as follows:

1. Amend title, page 1, line 7.

Following: "which"

Strike: "utilizes a full accrual accounting system"

Insert: "accrues both income and expense"

2. Amend page 1, Section 1, line 20.

Strike: "employing a full accrual system"

Insert: "which accrues both income and expense"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Joint Resolution No. 13, respectfully report as follows: That House Joint Resolution No. 13 be amended in the introduced resolution as follows:

1. Amend page 1, in the title, line 6.

Following: "to"

Strike: The remainder of the title.

Insert: "continue the ACP programs, specifically cost-sharing for lining ditches of irrigation systems."

2. Amend page 1, line 13.

Following: "a"

Strike: "form of"

Insert: "method of transporting water for"

3. Amend page 1, line 17.

Following: "is"

Strike: "prohibitive"

Insert: "expensive for the individual landowner"

4. Amend page 1, lines 23 and 24.

Following: "Agriculture"

Strike: "reestablish the program of cost-sharing for lining irrigation systems."

Insert: "continue the ACP programs, specifically cost-sharing for lining ditches of irrigation systems."

And as amended, do pass.

FLEMING, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 12 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Meloy, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Brand, Hageman, Magone, Mular. Total 4.

Excused: Johnson, Marks. Total 2.

Absent or not voting: W. Baeth, Ellis, Harper, Holmes, Lory, Manuel, Menahan, Palmer, Rasmussen, Shelden. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 204 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Barrett, Johnston, Lund, Mercer. Total 4.

Excused: Johnson, Marks. Total 2.

Absent or not voting: W. Baeth, Kropp, Manuel. Total 3.

Driscoll moved that the House adjourn until 1:30 p.m., January 30, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana
January 30, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fishbaugh, Gerke, Smith, Lund, Mercer, Kelly, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twentieth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker this day appointed the following Representatives to serve on the Select Committee on Gambling: Dan Yardley, Chairman; J. D. Lynch, Vice-Chairman; Carroll V. South, Bob Finley, Duane Johnson, Peter J. Gilligan, Jr., Carl A. Seifert, Wallace W. Mercer, R. Budd Gould.

REPORTS OF STANDING COMMITTEES

January 29, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 150.

QUILICI, Chairman

January 30, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions considered correctly engrossed: House Bill No. 169, House Bill No. 206, House Joint Resolution No. 11, House Joint Resolution No. 16, House Joint Resolution No. 20.

QUILICI, Chairman

January 29, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bill No. 33, House Bill No. 45.

QUILICI, Chairman

January 29, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bill No. 118, House Bill No. 178, House Bill No. 180, House Bill No. 196, House Bill No. 199, House Bill No. 208, House Bill No. 217, House Joint Resolution No. 23.

QUILICI, Chairman

January 30, 1975

Mr. Speaker: The Committee on Bills reports the following bills and

resolution correctly printed: House Bill No. 83, House Bill No. 86, House Bill No. 167, House Joint Resolution No. 21.

QUILICI, Chairman

January 30, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 5, respectfully report as follows: That Senate Joint Resolution No. 5 be amended in the third reading copy as follows:

1. Amend the title, page 1, line 8.

Following: "eliminate"

Insert: "unnecessary"

2. Amend page 1, line 22.

Following: "eliminate"

Insert: "unnecessary"

3. Amend page 2, line 3.

Following: "eliminating"

Insert: "unnecessary"

And as amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 13.

Following: "each"

Insert: "first class"

2. Amend page 1, section 1, lines 13 through 15.

Following: "county"

Strike: "with a population in excess of sixty thousand (60,000), based on the latest United States bureau of census population estimate,"

Insert: "as defined in section 16-2419"

3. Amend page 1, section 1, line 17.

Following: "except"

Strike: "as to those matters in which he has a direct interest"

Insert: "that he may represent himself and his immediate family"

4. Amend page 1, section 2, line 20.

Following: "attorney in"

Strike: "those"

Insert: "first class"

5. Amend page 1, section 2, line 20.

Following: "counties"

Strike: "which have a population in excess of sixty thousand (60,000)"

6. Amend page 4, section 3, line 9.

Following: "(30,000)"

Strike: "but not more than sixty thousand (60,000)"

Insert: "which is not a first class county"

7. Amend page 4, section 3, line 12.

Following: "each"
Insert: "first class"

8. Amend page 4, section 3, line 12.

Following: "county"

Strike: "with a population in excess of sixty thousand (60,000)"

Insert: "as defined in section 16-2419"

9. Amend page 4, section 4, line 16.

Following: "in a"

Insert: "first class"

10. Amend page 4, section 4, line 16.

Following: "county"

Strike: "with a population in excess of sixty thousand (60,000)"

11. Amend page 4, section 5, line 24.

Following: "in a"

Insert: "first class"

12. Amend page 4, section 5, line 24.

Following: "county"

Strike: "with a population in excess of sixty thousand (60,000)"

13. Amend page 5, section 5, line 3.

Following: "but"

Strike: "not more than sixty thousand (60,000)"

Insert: "which is not a first class county"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

January 30, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183 be amended in the introduced bill as follows:

1. Amend page 2, section 2, subsection (4), line 12.

Following: "one"

Strike: "each"

2. Amend page 2, section 2, subsection (4), line 13.

Following: "by"

Strike: ","

Insert: "the Montana Attorney General and two to be appointed by the Governor, one of whom must be selected from a list submitted by the Montana Bar Association;"

3. Amend page 2, section 2, subsections (a), (b) and (c), lines 14 through 17.

Strike: Subsections (a), (b) and (c) in their entirety.

4. Amend page 3, section 8, subsection (1), line 21.

Following: "equipment"

Insert: ", including automated data processing information, equipment and other services"

5. Amend page 3, section 8, subsection (2), lines 23 through 25.

Strike: All of subsection (2) in its entirety.

Re-number: Subsequent subsections.

6. Amend page 4, section 8, subsection (3), line 1.

Following: "The"

Insert: "budget of the"

7. Amend page 4, section 8, subsection (3), lines 1 and 2.

Following: "shall"

Strike: "submit his budgetary requests as approved by the commission,"

Insert: "be submitted"

8. Amend page 4, section 8, subsection (3), lines 2 and 3.

Strike: "legislative council for inclusion in"

Insert: "legislature with"

9. Amend page 4, section 10, subsection (1), line 13.

Following: "January 1,"

Strike: "1978"

Insert: "1979"

10. Amend page 4, section 10, subsection (2), line 16.

Following: "January 1,"

Strike: "1978"

Insert: "1979"

11. Amend page 4, section 10, subsection (2), line 21.

Following: "shall"

Insert: "explain and"

12. Amend page 5, section 10, subsection (4), lines 15 through 18.

Strike: All of subsection (4) in its entirety.

Renumber: Subsequent subsections.

13. Amend page 9, section 14, subsection (1), line 18.

Following: "set"

Insert: "with the secretary of state"

14. Amend page 10, section 15, subsection (3), following line 21.

Insert: "Section 16. Repealer. Sections 12-301 through 12-329, 12-331, 12-332 and 12-332.1 are repealed."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

January 30, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 do pass.

HUENNEKENS, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 be amended in the introduced bill as follows:

1. Amend page 5, section 7, subsection (4), following line 24.

Insert: "Section 8. Provisions of this act shall not be applicable: (a) to those contracts which require a total payment of less than two thousand dollars (\$2,000) for performing outside professional services; (b) to contracts for outside professional witness where the purpose of such

services is to provide for services or testimony relating to an existing or probable lawsuit in which the state of Montana or any of its agencies is or may become a party; (c) to the legislature or its specialized agencies."

Renumber: Subsequent section.

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (a), line 23.

Following: "or in"

Strike: "[actual physical]"

Insert: "actual physical"

2. Amend page 2, section 1, subsection (c), line 14.

Following: "was in"

Strike: "[actual physical]"

Insert: "actual physical"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

January 30, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do not pass.

W. BAETH, Chairman

January 30, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do not pass.

GUNDERSON, Chairman

January 29, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 do not pass.

HUENNEKENS, Chairman

January 29, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do not pass.

SHELDEN, Chairman

January 29, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 do not pass.

SHELDEN, Chairman

MESSAGES FROM THE OTHER HOUSE

January 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read three several times, and passed, title and history agreed to, and the said resolution is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 3 introduced by Greely (by request of the Governor).

Respectfully yours,

John N. Hanson
Secretary of the Senate

January 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 36 introduced by Manley, Jergeson, Flynn, et al

Senate Bill No. 46 introduced by Cetrone, Rosell, Story, Warden

Senate Bill No. 77 introduced by Greely (by request of the Governor)

Senate Bill No. 95 introduced by McCallum, Etchart, E. Smith, et al

Senate Bill No. 132 introduced by R. Smith (by request of the Department of Highways)

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Brand moved that House Bill No. 215 be rereferred from the Committee on Local Government to the Committee on State Administration.

Motion carried.

Johnson moved that House Bill No. 330 be rereferred from the Committee on Taxation to the Committee on Labor and Employment Relations.

Motion carried.

Driscoll moved that House Bills Nos. 314, 344, and 422 be rereferred from the Committee on Business and Industry to the Select Committee on Gambling.

Motion carried.

Richards moved that House Bill No. 433 be rereferred from the Committee on Business and Industry to the Committee on Natural Resources.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 481, introduced by Johnson, Gilligan: A bill for an act entitled: "An act amending Section 59-1602, R.C.M. 1947, to include professional instructors, teachers, and paraprofessional instructors employed by school boards and districts as public employees under the Public Employees Collective Bargaining Act; and repealing Sections 59-1608.1, 59-1608.2, and 75-6115 through 75-6128, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 482, introduced by Mular, Ellis, Lory, Barrett, Gould, Harper, Luebeck, Quilici, Brand, Menahan: A bill for an act entitled: "An act amending Section 11-2022, R.C.M. 1947, to increase the limits upon compensation which may be paid to volunteer firemen for disability incurred while in the performance of duty; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 483, introduced by Dussault, Lockrem: A bill for an act entitled: "An act to amend the compulsory enrollment and attendance laws removing references to completion of the work of the eighth grade, and amending Sections 75-6303 and 75-6304, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 484, introduced by Brand: A bill for an act entitled: "An act to amend Section 32-2119, R.C.M. 1947, to provide a definition of flag person and flag car." Referred to Committee on Highways and Transportation.

House Bill No. 485, introduced by Brand, Fagg, Hager, W. Baeth: A bill for an act entitled: "An act amending Sections 82-308 and 82-309, R.C.M. 1947, relating to surety bonds and tax payments required by the Board of Athletics." Referred to Committee on State Administration.

House Bill No. 486, introduced by Brand, Menahan, Quilici: A bill for an act entitled: "An act to appropriate money to the Department of Justice for the biennium ending June 30, 1977, for the establishment and operation of an automated motor vehicle information system, and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

House Bill No. 487, introduced by Brand: A bill for an act entitled: "An act to amend Section 32-21-151, R.C.M. 1947, allowing use of emergency reflective triangles as an alternate to other requirements." Referred to Committee on Highways and Transportation.

House Bill No. 488, introduced by Halvorson (by request of Department of Revenue): A bill for an act entitled: "An act amending Section 84-437.2, R.C.M. 1947, to define agricultural lands." Referred to Committee on Taxation.

House Bill No. 489, introduced by Barrett, Smith, Murphy, Babcock: A bill for an act entitled: "An act providing for the cancellation of registrations by the County Clerks; providing for registration of qualified electors; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 490 introduced by James Moore, Harper, Mular, Quilici: A bill for an act entitled: "An act to amend Section 92-703.1, R.C.M. 1947, by removing the five hundred week limitation on payments of compensation for partial disability." Referred to Committee on Labor and Employment Relations.

House Bill No. 491, introduced by James Moore, Bradley, Vincent, Harper: A bill for an act entitled: "An act amending Section 89-885, R.C.M. 1947, by making the public interest a criteria for the issuance of certain permits to appropriate water; and providing for an immediate effective date." Referred to Committee on Natural Resources.

House Bill No. 492, introduced by James Moore, Vincent, Harper: A bill for an act entitled: "An act to provide for assessment of fees for the preparation of environmental impact statements upon certain applications for water right permits or approvals; and providing for an immediate effective date." Referred to Committee on Natural Resources.

House Bill No. 493, introduced by James Moore, Vincent, Sloan, Harper, Kvaalen: A bill for an act entitled: "An act providing a schedule of penalties for violations of The Nongame and Endangered Species Act; authorizing one-half of fines imposed to be paid to persons giving information leading to convictions; amending Section 26-1808, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 494, introduced by James Moore, Scully, Vincent, Harper, Mular: A bill for an act entitled: "An act to amend Section 92-204.1, R.C.M. 1947, by granting an injured employee an independent action against a grossly negligent employer." Referred to Committee on Judiciary.

House Bill No. 495, introduced by James Moore, Guthrie, Dussault, Lockrem, McKittrick, Gould: A bill for an act entitled: "An act for the certification of dispensing opticians under the authority and control of the Montana Medical Examining Board; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 496, introduced by James Moore: A bill for an act entitled: "An act amending Rule 20 of the Montana Rules of Civil Procedure to allow the joinder of insurers of motor vehicles in certain cases." Referred to Committee on Judiciary.

House Bill No. 497, introduced by Fleming (by request of Department of Agriculture): A bill for an act entitled: "An act to add a new Section to Title III, Chapter 12, R.C.M. 1947, to authorize the Director of Agriculture to enter into agreements with other agencies of government both state and federal." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 498, introduced by Fleming (by request of Department of Agriculture): A bill for an act entitled: "An act to provide for services of a horticultural inspector upon request and payment of costs." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 499, introduced by Fleming (by request of Department of Agriculture): A bill for an act entitled: "An act to amend Section 3-1212, R.C.M. 1947, to require that a nurseryman's license be obtained for each place of business." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 500, introduced by Sloan, Gilligan: A bill for an act entitled: "An act to amend Section 26-301, R.C.M. 1947, to delete a restric-

tion for hunting migratory waterfowl." Referred to Committee on Fish and Game.

House Bill No. 501, introduced by Lund, Casey: A bill for an act entitled: "An act to permit the Department of Institutions to contract with the governing body of an Indian reservation for residential and educational services." Referred to Committee on Education.

House Bill No. 502, introduced by Lockrem, Mercer: A bill for an act entitled: "An act revising finance charge limitations in the Retail Installment Sales Act; amending Section 74-608, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 503, introduced by Lynch (by request): A bill for an act entitled: "An act to amend Section 25-605, R.C.M. 1947, to provide for the salary of coroners in counties with a population in excess of twenty-five thousand (25,000); and to amend Section 25-236, R.C.M. 1947, to raise coroner fees and salary." Referred to Committee on Local Government.

House Bill No. 504, introduced by Palmer, Wolfe, Dussault: A bill for an act entitled: "An act to require the Department of Social and Rehabilitation Services to pay a minimum of four dollars per day for each eligible child enrolled in a licensed day care facility." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 505, introduced by Richards, Meloy, Driscoll, Rasmussen: A bill for an act entitled: "An act appropriating funds to the Department of Administration for protecting the Charles M. Russell mural in the House of Representatives." Referred to Committee on State Administration.

House Bill No. 506, introduced by Jack Moore, Fabrega, Brand, W. Baeth, Lester: A bill for an act entitled: "An act to exempt from adjusted gross income formal private retirement benefits not in excess of a certain amount; amending Section 84-4905, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 507, introduced by Kendall (by request of Department of Intergovernmental Relations): A bill for an act entitled: "An act to recodify the examination duties of the Department of Intergovernmental Relations; revising present language and adding Sections to clarify the audit process; providing for audits by licensed public accountants or firms of public accountants; amending Section 75-6323, R.C.M. 1947; repealing Sections 82-4501 through 82-4514, R.C.M. 1947; and providing a delayed effective date." Referred to Committee on State Administration.

House Bill No. 508, introduced by Kendall (by request of Department of Highways): A bill for an act entitled: "An act to amend Sections 32-2102, 32-2128, 32-2175 and 32-21-132, R.C.M. 1947, redefining and broadening the definition of emergency vehicles, governing the operation of police and authorized emergency vehicles, governing the operation of vehicles on approach of police vehicles or authorized emergency vehicles and providing further additional lighting equipment and restrictions." Referred to Committee on Highways and Transportation.

House Joint Resolution No. 39, introduced by Barrett, Menahan, Smith, Babcock: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the President and the Congress of the United States and the U.S. Department of Labor to provide for exceptions to the minimum wage laws so that patients in custodial institutions may be employed by the institutions. Referred to Committee on Labor and Employment Relations.

House Joint Resolution No. 40, introduced by Mular, Lynch, Harper, Quilici, Ellis, O'Connell, Kanduch, Murphy, Luebeck, Fagg, Hager, Lory, Menahan, W. Baeth, Fleming, Kelly, Aageson: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Highway Commission to exercise its authority to assume the maintenance of Federal Aid Secondary Highway Number Four Hundred Forty-One (441). Referred to Committee on Highways and Transportation.

House Joint Resolution No. 41, introduced by James Moore, Bradley, Finley, Halvorson, Holmes, Sloan, Gilligan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the adoption of a new rule in the Montana Administrative Code establishing an endangered species list. Referred to Committee on Judiciary.

House Joint Resolution No. 42, introduced by James Moore, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting a study of the laws relating to residence and domicile. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 36, introduced by Manley, Jergeson, Flynn, Graham, Mehrens, Healy: A bill for an act entitled: "An act charging costs of criminal prosecutions of offenses committed within the State Prison to the state rather than the county; amending Section 16-3802, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 46, introduced by Cetrone, Rosell, Story, Warden: A bill for an act entitled: "An act requiring the Department of Revenue to keep some state liquor stores open Saturdays and closed Mondays in cities with more than one (1) liquor store; amending Section 4-114, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 77, introduced by Greely (by request of the Governor): A bill for an act entitled: "An act amending Sections 11-3823, 16-3705, 23-4724, 26-109, and 31-105, R.C.M. 1947, to allow public officers and employees to participate in election campaigns, and to protect them from undue employer influence; repealing Section 23-4739, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 95, introduced by McCallum, Etchart, E. Smith, Mathers, Aber, Lynch, Graham, Norman, Healy, McOmber, Turnage, Murphy, Kolstad: A bill for an act entitled: "An act amending Section 53-148, R.C.M. 1947, to extend the privilege of purchasing personalized license plates to all motor vehicles." Referred to Committee on Highways and Transportation.

Senate Bill No. 132, introduced by R. Smith (by request of Department of Highways): A bill for an act entitled: "An act to amend Section 32-1123.5, R.C.M. 1947, to include self propelled vehicles within the length limitations and to increase the permissible length to forty feet." Referred to Committee on Highways and Transportation.

Senate Joint Resolution No. 3, introduced by Greely (by request of the Governor): A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing rule 2-3.34(10)-S3450 of the Montana Administrative Code, concerning limitation of political activities, and providing an effective date. Referred to Committee on Judiciary.

Without objection the Speaker rereferred House Bill No. 481 from the Committee on Labor and Employment Relations to the Committee on Education.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Bradley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 30, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 118 do pass. (89-0)

That House Bill No. 178 do pass. (91-0)

That House Bill No. 180 do pass. (82-1)

That House Bill No. 194 do not pass. (63-30)

That House Bill No. 199 be amended as follows:

1. Amend page 1, section 1, lines 14 and 15.

Following: "homicide"

Strike: "where there is a finding that the defendant was driving while intoxicated"

Insert: "wherein the use of intoxicating substances by the defendant is a finding by the court as a factor of the offense"

2. Amend page 1, section 1, line 17.

Following: "shall"

Insert: "impose a sentence of not less than one (1) year's imprisonment in the county jail nor more than ten (10) years in the state prison and shall not"

3. Amend page 1, section 1, line 17.

Following: "defendant"

Insert: "except" (66-18)

And as amended, be passed to the bottom of the board.

That House Bill No. 208 do pass. (88-0)

That House Bill No. 217 do pass. (90-0)

That House Joint Resolution No. 17 do pass. (62-21)

That House Joint Resolution No. 23 do pass. (69-21)

That House Bill No. 199 be further amended as follows:

1. Amend page 1, section 1, line 17.

Strike the language added in the Committee of the Whole: "impose a sentence of not less than one (1) year's imprisonment in the county jail nor more than ten (10) years in the state prison and shall not" (89-0)

And as amended, do not pass. (68-24)

That the Committee rise and report.

BRADLEY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

In accordance with the 24 hour rule the adverse committee report on House Bill 219 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Holmes. Total 1.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Bardanouve, Halvorson. Total 2.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 34 was adopted by the following vote:

Ayes: Asher, Babcock, Barrett, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 73.

Noes: Aageson, C.R. Anderson, John Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Casey, Conroy, Fabrega, Guthrie, Hager, Helmbrecht, Johnston, Kendall, Kvaalen, Lockrem, Manuel, Sivertsen. Total 19.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting. Ellison, Shelden, Travis. Total 3.

MOTIONS

Jack Moore moved that House Bill No. 78 now on Third Reading be returned to Second Reading. Jack Moore requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, C.R. Anderson, John Anderson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Casey, Conroy, Ellerd, Ellison, Fabrega, Gunderson, Guthrie, Gwynn, Hageman, Hager, Herlevi, Hubing, Jacobsen, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Marks, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, South, Staigmiller, Thomas, Underdal, Williams, Wood, Wyrick, Yardley. Total 41.

Noes: R. Baeth, W. Baeth, Bengtson, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Federico, Finley, Fleming, Gilligan, Gould, Halvorson,

Harper, Helmbrecht, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Scully, Shelden, Sloan, Stoltz, Teague, Travis, Tropila, Vincent, Wolfe, Mr. Speaker. Total 50.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Bradley, Fagg, James Moore, Robbins. Total 4.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time, and referred to the Committee on Appropriations.

House Bill No. 520, introduced by Lynch, Wood: A bill for an act entitled: "An act appropriating moneys to the Department of Justice for the remainder of Fiscal Year 1975, for Fiscal Year 1976 and Fiscal Year 1977 to December 31, 1976, for investigation and prosecution of Workmen's Compensation Division related matters." Referred to Committee on Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 22 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Dussault, Ellerd, Ellison, Fabrega, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Hager. Total 1.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Dassinger, Driscoll, Ellis, Fagg, Lien, Rasmussen. Total 6.

House Bill No. 26 was passed by the following vote:

Ayes: Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Day, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, McFadden, Magone, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley. Total 70.

Noes: Aageson, C.R. Anderson, John Anderson, Asher, Casey, Ellerd, Ellison, Harper, Hubing, Johnston, Kropp, Kvaalen, Lynch, Manuel, Marks, Mular, Quilici, Sivertsen, Wyrick, Mr. Speaker. Total 20.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Dassinger, Fagg, Lien, Meloy, Rasmussen. Total 5.

House Bill No. 33 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Hubing, Kvaalen. Total 2.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Dassinger, Driscoll, Fagg, Lien, Rasmussen. Total 5.

MOTIONS

Driscoll moved that House Bill No. 75 now on Third Reading be returned to Second Reading. Driscoll requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Brand, Dassinger, Palmer. Total 3.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Lien, James Moore. Total 2.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 78 passed by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Day, Driscoll, Ellis, Ellison, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Hageman, Hager, Halvorson,

Harper, Helmbrecht, Herlevi, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, Sloan, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, J. Anderson, Asher, Babcock, Casey, Conroy, Dassinger, Dussault, Ellerd, Fabrega, Guthrie, Gwynn, Holmes, Jacobsen, Kropp, Kvaalen, Lockrem, Marks, Jack Moore, Rasmussen, Seifert, Sivertsen, South, Staigmiller, Underdal, Wood, Wyrick. Total 27.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Bardanouve, Hubing, Lien, James Moore. Total 4.

House Bill No. 92 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Casey, Kvaalen, Lockrem, Richards. Total 4.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Lien, Meloy, James Moore. Total 3.

House Bill No. 109 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Lien, Meloy, James Moore. Total 3.

House Bill No. 150 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand,

Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Manuel, Marks, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Lien, Magone, Meloy, James Moore. Total 4.

House Bill No. 151 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Lien. Total 1.

House Bill No. 185 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Casey, Day, Gwynn, McFadden, Robbins, Seifert. Total 6.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Lien. Total 1.

House Bill No. 187 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth,

W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Lien, Travis. Total 2.

House Joint Resolution No. 14 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Asher, Gould, Seifert. Total 3.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Lien. Total 1.

House Joint Resolution No. 22 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Federico, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, South, Staigmilller, Stoltz, Thomas, Travis, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 78.

Noes: Bardanouve, Bradley, Ellis, Finley, Harper, Holmes, Johnson, Lory, James Moore, Palmer, Shelden, Sloan, Vincent. Total 13.

Excused: Fishbaugh, Gerke, Lund, Mercer, Smith. Total 5.

Absent or not voting: Lien, Luebeck, Teague, Tropila. Total 4.

MOTIONS

Holmes moved that the rules be suspended and that she be allowed to

change her vote on House Bill No. 78. The motion failed, lacking a two-thirds majority of the House.

Driscoll moved that the House adjourn until 1:30 p.m., January 31, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana
January 31, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 30, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 7.

QUILICI, Chairman

January 31, 1975

I have examined House Bill No. 7 introduced by me and find the same to be correct.

YARDLEY

January 30, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bill No. 55, House Bill No. 108, House Bill No. 110, House Bill No. 181, House Bill No. 202, House Bill No. 182, House Bill No. 122, House Bill No. 59, House Bill No. 46, House Bill No. 73, House Joint Resolution No. 13.

QUILICI, Chairman

January 30, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions considered correctly engrossed: House Bill No. 118, House Bill No. 178, House Bill No. 180, House Bill No. 208, House Bill No. 217, House Joint Resolution No. 17, House Joint Resolution No. 23.

QUILICI, Chairman

January 30, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 184.

QUILICI, Chairman

January 31, 1975

The following bill will be signed on adjournment on January 31, 1975,

in the office of the Speaker of the House of Representatives: House Bill No. 7.

Edwin A. Smith, Chief Clerk
House of Representatives

January 31, 1975

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 do pass.

JAMES MOORE, Vice-Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 do pass.

JAMES MOORE, Vice-Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 24, respectfully report as follows: That House Joint Resolution No. 24 be amended in the introduced bill as follows:

1. Amend title, page 1, lines 5 and 6.

Following: "requesting"

Strike: "the committee on priorities to appoint"

2. Amend page 2, lines 20 and 21.

Following: "That"

Strike: "the committee on legislative priorities is requested to appoint"

3. Amend page 2, line 21.

Following: "committee of"

Strike: "five"

Insert: "seven"

4. Amend page 2, line 21.

Following: "persons"

Insert: "be appointed"

5. Amend page 2, line 22.

Following: "including"

Strike: "three"

Insert: "four"

6. Amend page 2, line 22.

Following: "legislators,"

Insert: "two from each house,"

7. Amend page 2, line 23.

Following: "State,"

Strike: "and"

8. Amend page 2, line 24.

Following: "Association"

Insert: "and one representative from the office of the superintendent of public instruction"

And as amended, do pass.

JAMES MOORE, Vice-Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do pass.

JAMES MOORE, Vice-Chairman

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 be amended in the introduced bill as follows:

1. Amend title, page 1, line 8.

Following: "1947"

Strike: "; and providing an immediate effective date"

2. Amend page 1, section 2, line 17.

Following: "finite and"

Strike: "exhaustible"

Insert: "limited"

3. Amend page 2, section 3, line 14.

Following: "economy"

Strike: "and"

Insert: " ,"

4. Amend page 2, section 3, line 15.

Following: "state"

Insert: " , and any other reasonable consideration"

5. Amend page 2, section 3, line 17.

Strike "reduction"

Insert: "conservation"

6. Amend page 2, section 3, line 17.

Following: "energy"

Strike: "demand"

7. Amend page 2, section 3, lines 17 through 21.

Following: "pricing."

Strike: "No rate structure may be prescribed by the commission absent such pricing unless the commission clearly demonstrates in formal findings that such a structure does not implement the purposes of this act."

Insert: "The rate structure prescribed by the commission shall include incentive pricing, unless the commission clearly demonstrates in formal findings that such a structure would have an unacceptable adverse impact on the health of the Montana economy."

8. Amend page 3, section 4, line 14.

Following: "within"

Strike: "one (1) year"

Insert: "two (2) years"

9. Amend page 3, section 4, line 24.

Following: "consumed"

Insert: "a rate structure establishing "lifeline rates" to guarantee low costs for basic necessities for families"

10. Amend page 4, section 6, lines 22 and 23.

Strike: section 6 in its entirety.

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 do pass.

FLEMING, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 do not pass.

YARDLEY, Chairman

January 31, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do not pass.

YARDLEY, Chairman

MESSAGES FROM THE OTHER HOUSE

January 30, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, titles and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 2 introduced by Bardanouve

Respectfully yours,

John N. Hanson
Secretary of the Senate

January 30, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 32 introduced by Fasbender, Turnage, Greely, and Lynch

Senate Bill No. 79 introduced by Thiessen, and Mathers.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Kimble moved that the consideration of House Bill No. 75 be postponed until a day certain, and that that day be February 6, 1975.

Motion carried.

Palmer moved that Joint Rule No. 6-7 be temporarily suspended in order to introduce a Joint House Resolution after the 18th Legislative Day. Palmer requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion passed by the following vote requiring a two-thirds majority:

Ayes: R. Baeth, W. Baeth, Bardonouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 69.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Ellerd, Ellison, Fabrega, Gould, Guthrie, Hager, Hubing, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 31.

Excused: None.

Absent or not voting: None.

Driscoll moved that House Bill No. 437 be rereferred from the Committee on Judiciary to the Committee on Rules.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 509, introduced by Bengtson, Finley: A bill for an act entitled: "An act to generally revise the Nursing Practice Act by amending Sections 66-1222, 66-1225, 66-1226, 66-1228, 66-1232, and 66-1239, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 510, introduced by Kelly, Lynch, Mular, Quilici, Tropila, Menahan, McFadden: A bill for an act entitled: "An act to license and tax slot machines and to utilize the funds derived to provide revenue, to provide penalties for violation thereof and to repeal Sections 94-8-428, 94-8-429, and 94-8-431, R.C.M. 1947." Referred to Select Committee on Gambling.

House Bill No. 511, introduced by Huennekens, Kemmis, James Moore, Vincent: A bill for an act entitled: "An act to amend Sections 70-802 and 70-803, R.C.M. 1947, to restrict the construction of new utilities facilities to those providing energy for the citizens of Montana, and providing an immediate effective date." Referred to Committee on Natural Resources.

House Bill No. 512, introduced by Fagg, Lockrem, Bradley, Kimble: A bill for an act entitled: "An act creating the Board of Landscape Architects; and prescribing its powers and duties." Referred to Committee on State Administration.

House Bill No. 513, introduced by Finley, Gunderson, South, Wood: A bill for an act entitled: "An act amending Section 84-3804, R.C.M. 1947, to allow the Board of Regents to allocate up to three mills of the six mills that are levied annually for the support of the Montana University System to the community college districts." Referred to Committee on Education.

House Bill No. 514, introduced by Brand, W. Baeth, Menahan, Kanduch: A bill for an act entitled: "An act amending Section 59-1001, R.C.M. 1947, to allow public employees to take annual leave after six months of continuous employment." Referred to Committee on Labor and Employment Relations.

House Bill No. 515, introduced by Holmes, Palmer, Travis, Sloan, Williams, Finley, Vincent, Dussault, Scully: A bill for an act entitled: "An act to establish an Emergency Services Information Officer in the County Departments of Public Welfare; amending Section 71-221, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 516, introduced by Gunderson, Sheldon: A bill for an act entitled: "An act relating to the School Foundation Program; providing for changes in the financial schedules for the maximum General Fund budgets for elementary and high school districts; amending Section 75-6905, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 517, introduced by Wolfe, Holmes: A bill for an act entitled: "An act providing for the licensing and regulation of home health agencies in Montana by the Department of Health and Environmental Sciences; providing a definition of home health agencies; and providing a license fee for home health agencies." Referred to Committee on Natural Resources.

House Bill No. 518, introduced by Tropila, Murphy, Travis, Scully, Quilici, Kelly, McFadden, Wolfe, Lynch, Jack Moore, Mular, Teague, O'Connell, Gunderson, Thomas, Staigmiller, Finley, Conroy, Meloy, Fleming, Harper, Lester, Gilligan, Lockrem, Menahan, W. Baeth, James Moore, Robbins, Day, Stoltz, Johnston, Federico, Fabrega, Fagg, Williams, Brand, Kimble, Schye, Seifert, Aageson, Huennekens: A bill for an act entitled: "An act repealing Section 4-170, R.C.M. 1947, relating to canvassing for sales of liquor or beer." Referred to Committee on Business and Industry.

House Bill No. 519, introduced by Harper, Vincent, Luebeck, Gunderson, Fleming, Wolfe, McFadden, Dussault, Fagg, Johnson, Bradley, Palmer, Murphy, Lester, Finley: A bill for an act entitled: "An act to regulate the intrastate distribution and sale of hazardous substances intended or suitable for use by the general public; to investigate and evaluate general use hazardous substances and resulting accidents as they relate to public health; and providing for an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 521, introduced by Magone (by request): A bill for an act entitled: "An act to amend Section 31-144, R.C.M. 1947, providing for suspension of resident's license upon conviction of a traffic offense in another state or the Dominion of Canada." Referred to Committee on Judiciary.

House Bill No. 522, introduced by Fabrega, Jack Moore, Johnston, Federico, Seifert, Underdal, Marks, Lockrem: A bill for an act entitled: "An act to allow exemption from the Open Cut Mining Act on certain federal lands." Referred to Committee on Natural Resources.

House Bill No. 523, introduced by Rasmussen, Babcock (by request): A bill for an act entitled: "An act to amend Section 16-2404, R.C.M. 1947, to remove the statutory requirement that there be two constables in every township." Referred to Committee on Judiciary.

House Bill No. 524, introduced by Kimble (by request): A bill for an act entitled: "An act to amend Section 93-313, R.C.M. 1947; to provide that judges holding court in other counties receive actual mileage costs." Referred to Committee on Judiciary.

House Bill No. 525, introduced by Johnson, Lester, Dussault, Murphy, Palmer, Holmes, Brand, Kemmis, Stoltz, Helmbrecht, Magone: A bill for an act entitled: "An act providing for refunds to college students for work stoppages, strikes, or other disruptions of normal academic processes caused by professional educational employees." Referred to Committee on Labor and Employment Relations.

House Bill No. 526, introduced by Bertelsen, Kropp, Johnston: A bill for an act entitled: "An act amending Sections 23-3308 and 23-3511, R.C.M. 1947, to delete reference to a rotation system of candidate name arrangement; providing a system of candidate name arrangement on the ballot drawn by lot; and providing for an immediate effective date." Referred to Committee on Judiciary.

House Bill No. 527, introduced by Mular, Driscoll, Johnston (by request): A bill for an act entitled: "An act to change references in the state compensation and classification statutes from the Department of Administration to the Budget Director; amending certain procedures; amending Sections 59-908, 59-909, 59-910, 59-911, and 59-912, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 528, introduced by Richards, Scully, James Moore, Lynch, McFadden, Palmer, McKittrick, Vincent, Magone, R. Baeth, Teague, Bradley, Johnson, Kelly, Dussault, Bengtson, Wolfe, Kendall, O'Connell, South, Helmbrecht, Manuel, Meloy, Huennekens, Yardley, Williams, Harper, Federico, Gerke, Travis, Fishbaugh, Kemmis, Herlevi, Day, Finley, Gwynn, Tropila, Staigmiller, Lester, Thomas, Driscoll, Holmes, Fleming, Brand, Kimble, Sloan, Gilligan, Gunderson, Shelden, Stoltz, Luebeck, Fagg, Kummerfeldt, Jacobsen, Bardanouve: A bill for an act entitled: "An act providing for small claims courts in the State of Montana." Referred to Committee on Judiciary.

House Bill No. 529, introduced by Shelden, Gunderson: A bill for an act entitled: "An act relating to the School Foundation Program; providing for changes in financial schedules for the maximum General Fund budgets for elementary and high schools; amending Section 75-6905, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 530, introduced by Gunderson, Jacobsen, Kvaalen, Brand, Jack Moore, Bardanouve, Kummerfeldt, Stoltz, Hageman, Fleming, Casey: A bill for an act entitled: "An act to amend Sections 82-1502, 82-1506, 82-1507, and 82-1517, R.C.M. 1947, and to update the authority of the Hail Board by increasing the authorized levy, maximum insurance, and reserve fund and providing for annual increases in reserve fund when necessary." Referred to Committee on State Administration.

House Bill No. 531, introduced by Meloy: A bill for an act entitled: "An act to award costs and reasonable attorneys' fees to a plaintiff who brings a successful action under the right to know provision of the Montana Constitution." Referred to Committee on Judiciary.

House Bill No. 532, introduced by Mercer, Lockrem, Fagg, R. Baeth, Hubing, Day: A bill for an act entitled: "An act to increase travel allowance of authorized persons using private planes; amending Sections 59-801 and 59-802, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 533, introduced by Conroy, Bengtson, Lien, Halvorson, Hubing, Day, Wyrick, Smith: A bill for an act entitled: "An act revising the provisions governing coal mining leases on state lands; providing for bidding, terms, eligible lessees, and royalties on such leases; amending Sections 81-501, 81-502, and 81-503, R.C.M. 1947." Referred to Committee on Natural Resources.

House Joint Resolution No. 43, introduced by Fagg, Harper, Dussault: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Legislative Priorities to assign an appropriate committee to study the purposes, functions, and operations of the Milk Control Board and to make recommendations to the Forty-fifth Legislature. Referred to Committee on State Administration.

House Joint Resolution No. 44, introduced by Sloan (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Governor to create an Advisory Council to study and provide information regarding specific language disabilities in children. Referred to Committee on Education.

House Joint Resolution No. 45, introduced by Bardanouve, Fleming, Conroy, Kimble, Casey, Johnston, Dassinger, Sivertsen, Seifert: A Joint Resolution of the Senate and the House of Representatives of the State of Montana expressing support for the Governor's decision to create a task force on tribal, state, and federal responsibilities and urging the federal government to recognize its responsibility to resolve the jurisdictional conflicts that exist on the seven Indian reservations in Montana. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 32, introduced by Fasbender, Turnage, Greely, Lynch: A bill for an act entitled: "An act to change the time of assessment of property from the first Monday in March to the first day of January by amending Sections 7-122, 16-4019, 53-639.1, 46-2704, 46-2804, 46-2809, 81-928, 84-406, 84-409, 84-410, 84-510, 84-3808, 84-3809, 84-4192, 84-4209, 84-4604, 84-4605, 84-4606, 84-5801, 84-6012, 84-6013, 89-1805, and 89-1806, R.C.M. 1947, and changing the time for withdrawal from a public hospital district and for changing boundaries of an elementary school district to coincide with the January 1 assessment date by amending Sections 16-4311 and 75-6505, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 79, introduced by Thiessen, Mathers: A bill for an act entitled: "An act requiring the owners of oil and gas wells to file bottom-hole temperatures with the Board of Oil and Gas Conservation to facilitate the discovery of potential geothermal energy sources; amending Sections 60-127, 60-144, and 60-148, R.C.M. 1947." Referred to Committee on Natural Resources.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Seifert in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 31, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 46 do pass. (90-8)

That House Bill No. 55 do pass. (81-18)

That House Bill No. 59 do pass. (60-37)

That House Bill No. 73 be amended as follows:

1. Amend page 4, section 3, subsection (4), line 14.

Strike: "libel"

Insert: "liable" (86-2)

And as amended, do pass. (93-1)

That House Bill No. 83 do pass. (92-5)

That House Bill No. 86 do pass. (96-0)

That House Bill No. 108 do pass. (83-10)

That House Bill No. 110 do pass. (72-26)

That House Bill No. 122 do pass. (94-1)

That House Bill No. 167 do pass. (67-30)

That House Bill No. 181 do pass. (90-1)

That House Bill No. 182 do pass. (78-12)

Federico excused at this time.

That House Bill No. 196 do pass. (84-13)

That House Bill No. 202 do pass. (89-0)

That House Joint Resolution No. 13 do pass. (88-1)

That House Joint Resolution No. 21 do pass. (92-0)

That Senate Joint Resolution No. 5 be concurred in. (87-4)

That Senate amendments to House Bill No. 2 be concurred in. (91-1)

That the Committee rise and report.

SEIFERT, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

January 31, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 134.

QUILICI, Chairman

January 31, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 59, respectfully report as follows: That Senate Bill No. 59 be concurred in.

KIMBLE, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do pass.

KIMBLE, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1)(b), line 19.
Following: "section"
Strike: "13(4)"
Insert: "59-1613(4)"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100 be amended in the introduced bill as follows:

1. Amend page 1, the title, line 5.
Strike: "workmen's"
Insert: "workers"
2. Amend page 1, section 1, line 15.
Strike: "workmen's"
Insert: "workers"
3. Amend page 1, section 1, subsection (1), line 17.
Strike: "workmen's"
Insert: "workers"
4. Amend page 1, section 1, subsection (2), line 20.
Strike: "workmen's"
Insert: "workers"
5. Amend page 2, section 1, subsection (3), line 1.

Strike: "workmen's"

Insert: "workers"

6. Amend page 2, section 1, subsection (3)(b), line 6.

Strike: "his"

Insert: "the"

7. Amend page 2, section 1, subsection (3)(b), line 6.

Following: "duties"

Strike: "as workmen's"

Insert: "of workers"

8. Amend page 2, section 1, subsection (4), line 9.

Strike: "workmen's"

Insert: "workers"

9. Amend page 2, section 2, line 12.

Strike: "workmen's"

Insert: "workers"

10. Amend page 2, section 2, subsection (1), line 15.

Strike: "workmen's"

Insert: "workers"

11. Amend page 2, section 2, subsection (3), line 25.

Following: "cases"

Strike: "he"

12. Amend page 3, section 2, subsection (3), line 1.

Strike: "has"

13. Amend page 3, following line 5.

Insert: a new section 3 as follows and renumber all subsequent sections.

"Section 3. Increase in award for unreasonable delay or refusal to pay. When payment of compensation has been unreasonably delayed or refused, either prior or subsequent to the issuance of an award, the full amount of the order, decision or award may be increased by ten percent (10%) of the weekly award. The question of unreasonable delay or refusal shall be determined by the workers' compensation judge and such a finding constitutes good cause to rescind, alter or amend any order, decision or award previously made in the cause for the purpose of making the increase provided herein."

14. Amend page 3, section 3, line 6.

Strike: "workmen's"

Insert: "workers"

15. Amend page 3, section 3, line 7.

Strike: "workmen's"

Insert: "workers"

16. Amend page 3, section 3, line 10.

Strike: "workmen's"

Insert: "workers"

17. Amend page 3, section 3, line 14.

Strike: "workmen's"

Insert: "workers"

18. Amend page 3, section 3, line 18.

Strike: "he"

Insert: "the party"

19. Amend page 3, section 3, line 19.

Strike: "he"

Insert: "the party"

20. Amend page 3, section 3, line 20.

Strike: "workmen's"

Insert: "workers"

21. Amend page 3, section 4, line 25.

Strike: "workmen's"

Insert: "workers"

22. Amend page 4, section 5, line 2.

Strike: "workmen's"

Insert: "workers"

23. Amend page 4, section 5, line 4.

Strike: "his"

Insert: "the"

24. Amend page 4, section 5, line 5.

Strike: "workmen's"

Insert: "workers"

25. Amend page 4, section 5, line 8.

Strike: "workmen's"

Insert: "workers"

26. Amend page 4, section 6, subsection (1), line 10.

Strike: "workmen's"

Insert: "workers"

27. Amend page 4, section 6, subsection (1), line 12.

Following: " "

Insert: "However, the workers' compensation judge is not bound by common law and statutory rules of evidence."

28. Amend page 4, section 6, subsection (2), line 14.

Strike: "workmen's"

Insert: "workers"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 do pass.

KIMBLE, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 do pass.

GERKE, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 24 and 25.

Following: "sheriff"

Strike: "has exercised good and proper judgement"

Insert: "made such process or attachment in a reasonable manner"

And as amended, do pass.

GERKE, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 be amended in the introduced bill as follows:

1. Amend page 5, section 2, line 6.

Following: "structures,"

Strike: "redevelopment"

Insert: "relocation of occupants"

And as amended, do pass.

GERKE, Chairman

Report adopted.

January 31, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 255, respectfully report as follows: That House Bill No. 255 do not pass.

GERKE, Chairman

January 31, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 do not pass.

GERKE, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 148 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Hueneekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Richards, Robbins, Schye, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: C. R. Anderson, Day, Ellerd, Gerke, Guthrie, Lynch, Palmer, Rasmussen, Scully, Sivertsen, Travis, Wood, Wyrick. Total 13.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 159 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: Day, Fagg, Gerke, Lory, Lynch, Quilici, Sloan, Thomas, Travis, Wolfe. Total 10.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 205 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Lockrem, Teague. Total 2.

Excused: Federico. Total 1.

Absent or not voting: J. Anderson, Day, Fagg, Lynch, Travis. Total 5.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 209 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem,

Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Harper. Total 1.

Excused: Federico. Total 1.

Absent or not voting: J. Anderson, Day, Gerke, Palmer, Rasmussen, Robbins, Stoltz, Thomas, Travis. Total 9.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 210 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: Bertelsen, Harper, Holmes, Richards, Vincent. Total 5.

Excused: Federico. Total 1.

Absent or not voting: R. Baeth, Dassinger, Day, Dussault, Johnson, Schye, Travis. Total 7.

MOTIONS

Jim Moore moved that House Joint Resolution No. 41 be rereferred from the Committee on Judiciary to the Committee on Fish and Game.

Motion carried.

Jim Moore moved that House Bill No. 493 be rereferred from the Committee on Fish and Game to the Committee on Judiciary.

Motion carried.

Brand moved that House Bill No. 215 be rereferred from the Committee on State Administration to the Committee on Local Government.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 45 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston,

Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: Dassinger. Total 1.

House Bill No. 118 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: Bertelsen, Dassinger. Total 2.

House Bill No. 169 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: Dassinger. Total 1.

House Bill No. 178 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson,

Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: Dassinger. Total 1.

House Bill No. 180 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: Dassinger, James Moore, Schye. Total 3.

House Bill No. 184 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 80.

Noes: Asher, Babcock, Barrett, Casey, Conroy, Ellerd, Guthrie, Harper, Jacobsen, Johnson, Lockrem, Lund, McFadden, Mercer, Seifert, Underdal, Wyrick. Total 17.

Excused: Federico. Total 1.

Absent or not voting: Dassinger, Gerke. Total 2.

House Bill No. 206 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand,

Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: Dassinger, Kropp. Total 2.

House Bill No. 208 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: Dassinger, Gerke. Total 2.

House Bill No. 217 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Federico. Total 1.

Absent or not voting: Dassinger, Gerke, Marks, Mercer. Total 4.

House Joint Resolution No. 11 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 78.

Noes: Brand, Conroy, Day, Ellis, Fishbaugh, Gerke, Hageman, Helmbrecht, Jacobsen, Kendall, Kummerfeldt, Manuel, Robbins, Seifert, Smith, South, Underdal, Wood, Wyrick, Yardley. Total 20.

Excused: Federico. Total 1.

Absent or not voting: Dassinger. Total 1.

House Joint Resolution No. 16 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Driscoll, Dussault, Federico, Finley, Fishbaugh, Gilligan, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Lien, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Richards, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Wolfe, Yardley, Mr. Speaker. Total 51.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Conroy, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hager, Hubing, Kelly, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Manuel, Marks, Mercer, Jack Moore, Quilici, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, Staigmilller, Underdal, Williams, Wood, Wyrick. Total 47.

Paired: Federico, Aye; Lockrem, No.

Excused: None.

Absent or not voting: Dassinger, James Moore. Total 2.

House Joint Resolution No. 17 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 72.

Noes: C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Conroy, Ellerd, Ellison, Gould, Holmes, Kendall, Lien, Lockrem, Mercer, Schye, Seifert, Smith, Underdal, Wood, Wyrick. Total 21.

Excused: Federico. Total 1.

Absent or not voting: Dassinger, Day, Guthrie, Sivertsen, Travis, Tropila. Total 6.

House Joint Resolution No. 20 passed by the following vote:

Ayes: Aageson, J. Anderson, Bardanouve, Barrett, Bengtson, Brand, Casey, Day, Driscoll, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnston, Kanduch, Kropp, Kummerfeldt, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Robbins, Scully, Seifert, Sloan, South, Thomas, Travis, Tropila, Underdal, Williams, Yardley, Mr. Speaker. Total 60.

Noes: C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bertelsen, Bradley, Conroy, Dussault, Ellerd, Ellis, Ellison, Fagg, Guthrie, Holmes, Hubing, Johnson, Kemmis, Kendall, Kimble, Kvaalen, Lockrem, Lory, Magone, Rasmussen, Richards, Schye, Sivertsen, Smith, Staigmiller, Stoltz, Vincent, Wolfe, Wood, Wyrick. Total 35.

Excused: Federico. Total 1.

Absent or not voting: Dassinger, Kelly, Shelden, Teague. Total 4.

House Joint Resolution No. 23 passed by the following vote:

Ayes: Aageson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 76.

Noes: C. R. Anderson, Asher, Barrett, Driscoll, Ellerd, Gould, Hubing, Kendall, Kropp, Kvaalen, Lockrem, Mercer, Schye, Seifert, Smith, Teague, Wood, Wyrick. Total 18.

Excused: Federico. Total 1.

Absent or not voting: Babcock, Dassinger, Guthrie, Manuel, Yardley. Total 5.

Driscoll moved that the House adjourn until 1:30 p.m., February 1, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 1, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church.

Pledge of Allegiance to the Flag.

Roll call. All members present except Gould, Gilligan, Federico, Brand, Bertelsen, Holmes, Robbins and Day, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 1, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bill No. 155, House Bill No. 56, House Bill No. 245, House Bill No. 243, House Bill No. 232, House Bill No. 112, House Joint Resolution No. 24.

QUILICI, Chairman

January 31, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 246, House Bill No. 300, House Bill No. 102, House Bill No. 183, House Bill No. 212.

QUILICI, Chairman

February 1, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions considered correctly engrossed: House Bill No. 196, House Bill No. 167, House Bill No. 108, House Bill No. 55, House Bill No. 59, House Bill No. 83, House Bill No. 86, House Bill No. 110, House Bill No. 122, House Bill No. 181, House Bill No. 182, House Bill No. 202, House Bill No. 46, House Joint Resolution No. 13, House Joint Resolution No. 21.

QUILICI, Chairman

February 1, 1975

The following bill was signed in the office of the Speaker of the House of Representatives on January 31, 1975: House Bill No. 7.

Edwin A. Smith, Chief Clerk
House of Representatives

February 1, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 437, respectfully report as follows: That House Bill No. 437 be reported out of committee with no recommendation.

DRISCOLL, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 do pass.

HUENNEKENS, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do pass.

HUENNEKENS, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 520, respectfully report as follows: That House Bill No. 520 be amended as follows:

1. Amend title, page 1, line 8.

Following: "matters"

Insert: "; and providing for an effective date."

2. Amend: page 4, section 9, lines 6 through 15.

Strike: section 9

Renumber: subsequent sections.

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 be amended as follows:

1. Amend: Page 2, after section 2 on line 3.

Insert: New Section 3: "Section 3. Any expenses incurred in excess of this appropriation shall be the obligation of Lewis and Clark County."

Renumber: Subsequent section.

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 135, respectfully report as follows: That House Bill No. 135 do not pass.

BARDANOUE, Chairman

MESSAGE FROM THE GOVERNOR

January 31, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bill No. 6.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGE FROM THE OTHER HOUSE

January 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 8 introduced by Drake

Senate Bill No. 120 introduced by Roberts, Cetrone

Senate Bill No. 122 introduced by Roberts, Cetrone

Senate Bill No. 123 introduced by Roberts, Cetrone

Senate Bill No. 124 introduced by Roberts, Cetrone

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Hageman moved that House Bill No. 310 be rereferred from the Committee on State Administration to the Committee on Appropriations.

Motion carried.

Wolfe moved that House Bill No. 517 be rereferred from the Committee on Natural Resources to the Committee on Public Health, Welfare and Safety.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that House Bills Nos. 520 and 141 be placed on Second Reading this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 534, introduced by Day, Meloy: A bill for an act entitled: "An act to amend Section 91-4414, R.C.M. 1947, to exempt real property in agricultural use from transfer taxes when the real property continues in agricultural use for at least ten (10) years from the date of transfer." Referred to Committee on Judiciary.

House Bill No. 535, introduced by Day, Jacobsen, Jack Moore, Conroy, Meloy, Lien, South, Wyrick: A bill for an act entitled: "An act requiring a person about to construct or locate a major industrial facility or open a new strip mine to file an educational impact statement with the County Superintendent of Schools." Referred to Committee on Education.

House Bill No. 536, introduced by South, Gerke: A bill for an act entitled: "An act directing the Department of Intergovernmental Relations to distribute funds appropriated for the support of local government study commissions to municipalities and counties; and providing for an immediate effective date." Referred to Committee on Local Government.

House Bill No. 537, introduced by Quilici, Lynch, Fabrega, Mular, Casey, Tropila, Teague, Staigmiller: A bill for an act entitled: "An act to amend Section 8-812, R.C.M. 1947, to require carriers to pay claims in full notwithstanding any limitation of liability contained in any contract; to authorize imposition of punitive damages where the aggrieved shipper successfully prosecutes his claim in court; to permit consignees to inspect packages; and to make intrastate carriers liable to the full extent of losses to property carried by them." Referred to Committee on Business and Industry.

House Bill No. 538, introduced by Mercer, Guthrie, Wood, Teague, Travis: A bill for an act entitled: "An act to amend Sections 75-7104, 75-7127, and 75-7129, R.C.M. 1947, to provide that the five percent (5%) debt limit on the issuance of school district bonds shall not pertain to special improvement district obligations and to provide for payment of special improvement district assessments by school districts from the debt service fund of the school district rather than from the general fund of the school district; and providing an immediate effective date." Referred to Committee on Education.

House Bill No. 539, introduced by Kummerfeldt, Gunderson, Fleming, Brand, Johnston, Harper, Bertelsen, Bengtson, Day, Casey, Lund, Jacobsen, Gwynn, Hubing: A bill for an act entitled: "An act authorizing the Department of Agriculture to administer, supervise, and coordinate cropland spraying programs for insect pest control; authorizing the department to share costs of cooperative rangeland spraying programs; revising the powers of counties to operate insect pest control programs; increasing the permissible levy for such programs; amending Sections 16-1149 through 16-1153, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 540, introduced by Holmes, Palmer, Kimble, Sloan, Stoltz, Gunderson, Bengtson, Finley: A bill for an act entitled: "An act to establish a high school district for the Montana State Prison for the purpose of providing the inmates of the prison with a fully accredited high school program." Referred to Committee on Education.

House Bill No. 541, introduced by Gould, Federico, Day, Lory, Bradley, Kemmis, Fabrega, Ellis: A bill for an act entitled: "An act to amend Section 53-106, R.C.M. 1947, to require number plates every five years instead of every other year." Referred to Committee on Highways and Transportation.

House Bill No. 542, introduced by Huennekens: A bill for an act

entitled: "An act to redefine the functions of the planning division within the Department of Intergovernmental Relations, to require designation of a planning officer in each executive department, to provide for the preparation and adoption of a state comprehensive plan and additional functions with hearings thereon for submission to the Governor and Legislature, to require an annual progress report; and to repeal Sections 82-3701, 82-3702, 82-3705, 82-3705.1, 82-3705.2, 82-3705.3, and 82-3706, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 543, introduced by Huennekens: A bill for an act entitled: "An act to amend Sections 84-709, 84-802.1, and 84-903.1, R.C.M. 1947, to provide for direct appeal to District Court of the First Judicial District for assessments of intercounty and interstate utilities; and repealing Section 84-6504, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 544, introduced by Huennekens: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article X, Section 4 of the Montana Constitution, to provide for appointment of land commissioners by the Governor." Referred to Committee on Judiciary.

House Bill No. 545, introduced by Dassinger, Aageson, Mular, Brand, Herlevi, Magone, Johnson, Kummerfeldt: A bill for an act entitled: "An act to amend Section 84-708.1, R.C.M. 1947, to allow the Department of Revenue the discretion to enter into reciprocal agreements with states concerning the taxing of non-resident income." Referred to Committee on Taxation.

House Bill No. 546, introduced by Jack Moore, McKittrick, Fabrega: A bill for an act entitled: "An act amending Section 53-1102, R.C.M. 1947, to provide for annual inspection of motor vehicles." Referred to Committee on Highways and Transportation.

House Bill No. 547, introduced by Gerke, South: A bill for an act entitled: "An act directing the Department of Intergovernmental Relations to distribute funds appropriated for the support of local government study commissions to municipalities and counties; and providing for an immediate effective date." Referred to Committee on Local Government.

House Bill No. 548, introduced by Kimble: A bill for an act entitled: "An act to transfer certain functions of the Department of Labor and Industry regarding the employment of women to the Department of Intergovernmental Relations by renumbering and amending Sections 41-24-1 through 41-2403, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 549, introduced by McKittrick, Jack Moore, Fabrega, Gilligan, Travis, Thomas, Gunderson, Lester, Staigmiller, Tropila, McFadden, O'Connell: A bill for an act entitled: "An act to appropriate money to the Department of Military Affairs for the biennium ending June 30, 1977 for the retention of firemen of the Montana Air National Guard at the Great Falls International Airport." Referred to Committee on Appropriations.

House Bill No. 550, introduced by Huennekens, Meloy, Bardanoue: A bill for an act entitled: "An act amending Section 82A-1509 to raise the compensation of the members of the Board of Natural Resources and Conservation from twenty-five dollars to fifty dollars per day; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 551, introduced by W. Baeth: A bill for an act entitled: "An act for the codification and general revision of the laws relating to

the Montana Safety Act; metal and nonmetallic mine safety laws; boiler laws; payment of silicosis benefits, and the Occupational Disease Act; amending Sections 41-1709, 41-1713 through 41-1729, 41-1733, 50-101, 50-102, 50-108, 50-118, 50-119, 69-1501, 69-1503, 69-1507, 69-1509, 69-1510, 69-1512, 69-1513, 69-1514, 69-1515, 69-1517, 69-1601, 69-1602, 69-1604, 71-1001, 71-1002, 71-1005, 71-1006, 71-1007, 92-1302, 92-1303, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 552, introduced by Harper, Kimble: A bill for an act entitled: "An act providing for compensation of victims of crime and procedures therefor, providing for establishment of a trust fund and for additional criminal fines; and amending Section 95-2228, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 553, introduced by Scully (by request): A bill for an act entitled: "An act amending Section 75-8601, R.C.M. 1947; to authorize a waiver of resident tuition for active members of the Montana National Guard at units of the Montana University System." Referred to Committee On Education.

House Bill No. 554, introduced by Scully (by request): A bill for an act entitled: "An act to amend Section 59-1007, R.C.M. 1947, relating to leaves of absence for employees and excepting employees of elementary and high school districts therefrom." Referred to Committee on Labor and Employment Relations.

House Bill No. 555, introduced by Scully (by request): A bill for an act entitled: "An act amending Section 54-301, R.C.M. 1947, by changing the definition of 'marijuana'." Referred to Committee on Judiciary.

House Bill No. 556, introduced by Sloan, Driscoll, James Moore (by request): A bill for an act entitled: "An act creating in the Department of Health and Environmental Sciences a forensic laboratory; providing for its administration, duties, and function, and appropriating forty-five thousand nine hundred forty-two dollars for this purpose." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 557, introduced by Driscoll, Meloy: A bill for an act entitled: "An act to amend Sections 69-6806 and 69-6807, R.C.M. 1947; to provide for a feasibility study to determine resource recovery value in solid waste; and to provide that the motor vehicle title transfer fee be changed from four dollars to two dollars; and that the fee for reregistering for licensing of a motor vehicle be changed from one dollar to fifty cents; and to change the formula for payment to counties by allowing the department to fund up to five thousand dollars for those counties that have fewer than five thousand motor vehicles registered in that county." Referred to Committee on Business and Industry.

House Bill No. 558, introduced by Driscoll (by request of Department of Health): A bill for an act entitled: "An act appropriating two hundred fifty thousand dollars to the Department of Health and Environmental Sciences for a solid waste disposal study." Referred to Committee on Appropriations.

House Bill No. 559, introduced by Halvorson (by request of Department of Revenue): A bill for an act entitled: "An act to provide that all taxable lands, all taxable city and town lots, and all taxable rural and urban improvements be classified or appraised at least once every five years, and that the factors determining timber and timberland valuation be reviewed at least once every five years; amending Sections 84-429.7, 84-429.11, and 84-429.12, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 560, introduced by Murphy (by request of Department of Institutions): A bill for an act entitled: "An act to allow good time allowance for inmates in certain activities; amending Section 80-1905, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 561, introduced by Murphy (by request of Department of Institutions): A bill for an act entitled: "An act amending Section 80-1503, R.C.M. 1947, to allow the sale of by-products from the prison ranch." Referred to Committee on Labor and Employment Relations.

House Bill No. 562, introduced by Murphy (by request of Department of Institutions): A bill for an act entitled: "An act to increase the incentive pay to inmates and to allow such pay to come from an account other than the General Fund; amending Section 80-1501, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 563, introduced by Murphy (by request of Department of Institutions): A bill for an act entitled: "An act to allow for the deduction of inmates' wages for certain purposes; amending Section 80-1906, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 564, introduced by Richards, Meloy, Driscoll, Rasmussen: A bill for an act entitled: "An act appropriating funds to the Montana Historical Society for developing a plan to preserve the murals housed throughout the Capitol complex; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 565, introduced by Manuel (by request): A bill for an act entitled: "An act to amend Section 16-4307, R.C.M. 1947, to authorize hospital districts to choose the number of trustees by setting the number of trustees in the district bylaws." Referred to Committee on State Administration.

House Bill No. 566, introduced by Gunderson, Thomas, Harper, Vincent: A bill for an act entitled: "An act to designate the State Board of Education as the State Board of Vocational Education that shall appoint an administrative committee responsible for administering vocational education and hiring the executive officer for vocational education; amending Sections 75-5607, 75-5617, 75-5707, 75-7701 through 75-7704, 75-7706 through 75-7710, 75-7712, 75-7714, and 75-7715, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 567, introduced by James Moore, Kimble, Scully: A bill for an act entitled: "An act amending Section 79-2315, R.C.M. 1947, to require the Attorney General and county attorneys in prosecutions resulting from legislative audits, to turn over investigative materials to the Supreme Court in cases of suspected unethical conduct by attorneys." Referred to Committee on Judiciary.

House Bill No. 568, introduced by Fishbaugh: A bill for an act entitled: "An act designating the City of Fort Benton as the place for the erection of a memorial commemorating the exploration of the Lewis and Clark expedition and providing for a commission to select a site and a suitable memorial for the Lewis and Clark expedition." Referred to Committee on State Administration.

House Bill No. 569, introduced by Lien, Day: A bill for an act entitled: "An act to require prior to issuance of a strip mining permit, the written consent of the owner of a surface estate overlying the mineral estate to be mined when such owner does not own the mineral estate; amending

Section 58-1036, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 570, introduced by W. Baeth, Brand, Menahan, Quilici: A bill for an act entitled: "An act to amend Section 82-1202, R.C.M. 1947, relating to the powers of the State Fire Marshall; and repealing Section 82-1202.2, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 571, introduced by Hager, Fagg: A bill for an act entitled: "An act providing for the payment of actual and necessary expenses to agents required to return fugitives to this state and providing for the payment of expenses where the fugitive has waived extradition proceedings." Referred to Committee on Judiciary.

House Bill No. 572, introduced by Aageson, Sivertsen, Murphy, Quilici, Johnston, Lynch, Lund, Underdal, Helmbrecht, Richards, C. R. Anderson, Gunderson, Harper, Fishbaugh: A bill for an act entitled: "An act to amend Section 75-8501, R.C.M. 1947; to require the Board of Regents to assure transferability of credits between units of the Montana University System." Referred to Committee on Education.

House Joint Resolution No. 46, introduced by Bradley, Gunderson, Stoltz: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Department of Revenue to apply its Revenue Ruling No. 42-2.6(2)-S60730 in a fair and evenhanded manner. Referred to Committee on Taxation.

House Joint Resolution No. 47, introduced by Huennekens, Meloy, Mular, Finley, McFadden, Johnston, Gilligan, Kimble, James Moore, Scully, Yardley, Halvorson, Dussault, Williams, Conroy, Kelly, Bengtson, Lester, Johnson, Federico, Robbins, Day, Harper, Teague, Fishbaugh: A Joint Resolution of the Senate and the House of Representative of the State of Montana urging the Supreme Court to rescind its rule requiring aspirants to the Montana Bar to hold a degree from an accredited college of law. Referred to Committee on Judiciary.

House Joint Resolution No. 48, introduced by Gunderson, Bradley, Huennekens, Murphy, Staigmilller, Manuel, Marks, Fishbaugh: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Natural Resources and Conservation to conduct a study for the development of a statewide soils inventory. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 8, introduced by Drake: A bill for an act entitled: "An act to revise the per diem allowance for travel outside the state by state employees; amending Section 59-538, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 120, introduced by Roberts, Cetrone: A bill for an act entitled: "An act to amend Section 94-6-204, R.C.M. 1947, defining the crime of burglary by adding the term 'unlawfully' to the definition of aggravated burglary." Referred to Committee on Judiciary.

Senate Bill No. 122, introduced by Roberts, Cetrone: A bill for an act entitled: "An act to amend Section 94-6-104, R.C.M. 1947, to clarify the type of property which must be damaged or destroyed to make the criminal act arson." Referred to Committee on Judiciary.

Senate Bill No. 123, introduced by Roberts, Cetrone: A bill for an act entitled: "An act which provides definitions of sexual crimes, by adding

a definition of the term 'without consent'; amending Sections 94-2-101 and 94-5-501, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 124, introduced by Roberts, Cetrone: A bill for an act entitled: "An act amending Section 94-2-101 (28), R.C.M. 1947, to provide that awareness of the probable result of a person's conduct constitutes knowledge." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Stoltz in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 1, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 102 do pass. (80-8)

That House Bill No. 520 do pass. (86-7)

That House Bill No. 141 do pass. (91-0)

That House Bill No. 134 do not pass. (84-6)

That House Bill No. 183 do pass. (67-20)

That House Bill No. 212 do pass. (81-6)

That House Bill No. 246 do pass. (83-0)

That House Bill No. 300 do not pass. (76-12)

That Senate Bill No. 59 be concurred in. (91-0)

That the Committee rise and report.

STOLTZ, Chairman

As a substitute motion, Yardley moved that House Bill No. 134 be segregated from the Committee of the Whole report and, as amended, the report be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 1, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 141, House Bill No. 520.

QUILICI, Chairman

February 1, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 do pass.

YARDLEY, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 be amended in the introduced copy, Section 1, subsection Class Eight, as follows:

1. Amend subsection (4), page 6, line 23.
Following: "retirement"
Insert: "or disability"
2. Amend subsection (4), page 6, lines 24 and 25.
Strike: "six thousand dollars (\$6,000)"
Insert: "four thousand eight hundred dollars (\$4,800)"
3. Amend subsection (4), page 7, lines 1 and 2.
Strike: "seven thousand five hundred dollars (\$7,500)"
Insert: "six thousand two hundred forty dollars (\$6,240)"
4. Amend subsection (4), page 7, line 8.
Following: "retirement"
Insert: "or disability"
5. Amend subsection (4), page 7, line 14.
Following: "retirement"
Insert: "or disability"
6. Amend subsection (5), page 8, lines 1 through 11.
Strike: All material in lines 1 through 11.

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 be amended in the introduced bill as follows:

1. Amend page 5, section 3, subsection (e), line 21.
Following: "parties."
Insert: "A conservation easement may be applied to urban or nonurban land."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 do pass.

BRADLEY, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had

under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 17.

Following: "violation"

Insert: ", but not more than a total of \$5,000"

2. Amend page 1, section 1, line 22.

Following: "section."

Insert: "The commission may institute and maintain in the name of the state enforcement proceedings under this section."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 1, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 do pass.

HAGEMAN, Vice-Chairman

Report adopted.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 47 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: Fleming, Harper, Luebeck. Total 3.

Excused: Bertelsen, Brand, Day, Federico, Gilligan, Gould, Holmes, Robbins. Total 8.

Absent or not voting: Ellison, Meloy. Total 2.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 35 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas,

Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Aageson, W. Baeth, Helmbrecht, Kendall, Shelden, Sivertsen. Total 6.

Excused: Bertelsen, Brand, Day, Federico, Gilligan, Gould, Holmes, Robbins. Total 8.

Absent or not voting: Meloy. Total 1.

MOTIONS

Driscoll moved that the rules be temporarily suspended and that House Bills Nos. 520 and 141 be placed on Third Reading this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended to allow Bardanouve to introduce a bill amending the Utility Siting Act.

Motion carried with more than two-thirds voting in favor.

Yardley moved that House Bill No. 134 be taken from Second Reading and be rereferred to the Committee on Judiciary.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate amendments to House Bill No. 2 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Bertelsen, Brand, Day, Federico, Gilligan, Gould, Holmes, Robbins. Total 8.

Absent or not voting: Meloy, Palmer. Total 2.

House Bill No. 141 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund,

Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Gunderson, Kendall. Total 2.

Excused: Bertelsen, Brand, Day, Federico, Gilligan, Gould, Holmes, Robbins. Total 8.

Absent or not voting: Meloy. Total 1.

House Bill No. 520 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Dussault, Gunderson, Huennekens, Kemmis, Kendall, Lester, Stoltz. Total 7.

Paired: Gilligan, aye; Gunderson, no.

Excused: Bertelsen, Brand, Day, Federico, Gould, Holmes, Robbins. Total 7.

Absent or not voting: Meloy. Total 1.

Driscoll moved that the House adjourn until 1:30 p.m., February 3, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 3, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves from St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Bertelsen, Driscoll, Dussault, Lockrem, Menahan, Richards, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 3, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 149, House Bill No. 213, House Bill No. 218, House Bill No. 315, House Bill No. 352.

QUILICI, Chairman

February 3, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bill No. 102, House Bill No. 183, House Bill No. 212, House Bill No. 246.

QUILICI, Chairman

February 3, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 113, respectfully report as follows: That House Bill No. 113 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Following: "facilities"

Strike: " "

Insert: "; and providing an effective date."

2. Amend Section 1, page 1, line 14.

Following: "prepay"

Insert: ", when permission is granted to construct or locate by the appropriate governmental agency,"

3. Amend Section 1, page 1, lines 14 and 15.

Following: "to"

Strike: "the first three (3) years of estimated property taxes on the facility."

Insert: "three (3) times the estimated property tax due the year the facility is completed."

4. Amend Section 1, page 1, line 19.

Strike: "one-twentieth (1/20)"

Insert: "one-tenth (1/10)"

5. Amend Section 1, page 1, line 22.

Strike: "twenty (20) years of the useful life"

Insert: "ten (10) years after the start of productive operation"

6. Amend Section 1, page 2, line 3.

Following: "facility"

Strike: All the material following on page 2.

Insert: "which will create an adverse impact on existing state, county, or municipal services."

7. Amend Section 1, page 2, line 10.

Following: "estimate."

Insert: "Section 2. This act is effective on its passage and approval."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 294, respectfully report as follows: That House Bill No. 294 do pass.

STAIGMILLER, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be concurred in.

YARDLEY, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Following: "which"

Strike: "employs a certain number of construction workers during its construction"

Insert: "will create an adverse impact on existing state, county, or municipal services"

2. Amend page 5, Section 1, Class Seven, subsection (a), line 24.

Following: "plant"

Strike: All the material through line 7, page 6, ending with the word "estimate."

Insert: "which will create an adverse impact on existing state, county, or municipal services."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do pass.

SHELDEN, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 do pass.

YARDLEY, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 do pass.

STAIGMILLER, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 be amended in the introduced bill as follows:

1. Amend section 1, subsection (8), page 5, line 4.

Following: "animal,"

Insert: "except in areas where more restrictive regulations apply or where the landowner has not granted such permission,"

And as amended, do pass.

STAIGMILLER, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 be referred to the Committee on Appropriations with a do pass recommendation.

STAIGMILLER, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 do pass.

STAIGMILLER, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 255 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Fagg. Total 1.

Excused: Bertelsen, Driscoll, Dussault, Lockrem, Menahan, Richards. Total 6.

Absent or not voting: Ellerd, Hager, Palmer, Rasmussen. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 259 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Bertelsen, Driscoll, Dussault, Lockrem, Menahan, Richards. Total 6.

Absent or not voting: Ellerd, Hager. Total 2.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 135 was adopted by the following vote:

Ayes: Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Ellis, Ellison, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, James Moore, Mular, Murphy, Palmer, Quilici, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 67.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Barrett, Casey, Fabrega, Fagg, Guthrie, Hager, Hubing, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Seifert, Sivertsen, Smith, Wood, Wyrick. Total 25.

Paired: Meloy, aye; Lockrem, no.

Excused: Bertelsen, Driscoll, Dussault, Menahan, Richards. Total 5.

Absent or not voting: Ellerd, Huennekens, O'Connell. Total 3.

MESSAGES FROM THE OTHER HOUSE

February 1, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, titles and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 30 introduced by Meloy, and Huennekens.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 1, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House amendments to Senate Bill No. 16 were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 1, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 19 introduced by Lynch

Senate Bill No. 68 introduced by Galt, Manley, Jergeson, et al

Senate Bill No. 158 introduced by Blaylock

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that consideration of House Bill No. 243 now on Second Reading be passed this legislative day.

Motion carried.

Meloy moved that consideration of House Bill No. 112 now on Second Reading be passed this legislative day.

Motion carried.

Brand moved that House Bill No. 310 be rereferred from the Committee on State Administration to the Committee on Appropriations.

Motion carried.

Marks moved that House Bill No. 437 be taken from Printing and be rereferred to the Committee on Rules.

As a substitute motion, Meloy moved that House Bill No. 437 be taken from Printing and be rereferred to the Committee on Judiciary.

As a substitute motion for all motions pending, Marks moved that the motion to rerefer House Bill No. 437 to Judiciary be referred to the Committee on Rules.

Motion failed.

The substitute motion by Meloy carried.

Gunderson moved that the rules be temporarily suspended to permit the introduction of a bill.

Motion carried with more than two-thirds voting in favor.

Hager moved that House Bill No. 401 be rereferred from the Committee on Natural Resources to the Committee on State Administration.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 573, introduced by Marks, Halvorson, Jack Moore: A bill for an act entitled: "An act to establish a career service system for Montana state employees; increase membership in the Merit System Council; authorizing the Merit System Council to administer the act; amending Sections 82A-206, 82A-1014 and 59-903, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 574, introduced by Manuel, Murphy, Gunderson, Fleming, Kropp, Jacobsen, Lund, Kummerfeldt, Lien, Fishbaugh, Hageman, Aageson, Underdal: A bill for an act entitled: "An act adding barley to the Wheat Research and Marketing Program; changing the name of the Wheat Research and Marketing Committee and Account to the Grain Research and Marketing Committee and Account to reflect the addition of barley research and marketing; amending Sections 3-2902, 3-2904, 3-2906, 3-2909, 3-2911, 3-2913, 3-2917, and 82A-304, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 575, introduced by Driscoll (by request of Office of Budget and Program Planning): A bill for an act entitled: "An act relating to the financing of the Long-Range Building Program, by the issuance of bonds payable from special taxes appropriated therefor and further supported by the pledge of the full faith and credit of the state; amending Section 79-2205, R.C.M. 1947; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 576, introduced by Driscoll (by request of Office of Budget and Program Planning): A bill for an act entitled: "An act relating to the issue and sale by the State Board of Examiners of general obligation highway bonds in a sum not exceeding seven million four hundred

thousand dollars (\$7,400,000) for the purpose of acquiring a necessary site for and erecting and equipping a Department of Highways Headquarters Building and Complex; pledging and appropriating a portion of net proceeds from gasoline taxation to a special sinking fund account for the payment and security of such bonds; reserving to the state the power of issuing additional highway bonds payable from the sinking fund account when authorized by law, or of refunding such bonds; amending Section 32-2601, R.C.M. 1947, and repealing Chapter 377, Laws of Montana 1969, and Sections 1 through 5, Chapter 356, Laws of Montana 1971 and providing for an effective date." Referred to Committee on Appropriations.

House Bill No. 577, introduced by Kemmis, Johnson, Palmer, Dussault, Luebeck, Wolfe, Lory, Ellis: A bill for an act entitled: "An act to change the qualifications for serving as director of the Department of Health and Environmental Sciences; amending Section 82A-601, R.C.M. 1947; repealing Section 82A-608, R.C.M. 1947; and providing for an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 578, introduced by Babcock, Rasmussen: A bill for an act entitled: "An act increasing to ten thousand dollars the value of equipment which county commissioners may purchase without calling for bids; amending Section 16-1803, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 579, introduced by Luebeck, Shelden, Huennekens: A bill for an act entitled: "An act to amend Section 26-104.9, R.C.M. 1947, to clarify the commission's power to regulate the use of lands by adding lakes, rivers, and streams and the operation of motor boats to its jurisdiction; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 580, introduced by Yardley: A bill for an act entitled: "An act to exempt from ad valorem taxation the first twenty-three hundred dollars (\$2300) of assessed value of all single family residences which are occupied by the owner or by the purchaser evidenced by a valid contract for deed; establishing compensation to local governments from the State General Fund for revenues which would otherwise be generated by this tax exempt property; amending Sections 84-202 and 84-506, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 581, introduced by Bardanouve, Meloy, Huennekens, Kemmis, Lien, Driscoll, Gunderson, Harper, Bradley, Vincent: A bill for an act entitled: "An act amending Sections 70-801 through 70-808, 70-810 through 70-823, R.C.M. 1947, to generally revise the Montana Utility Siting Act of 1973; providing an immediate effective date." Referred to Committee on Natural Resources.

House Bill No. 582, introduced by Kvaalen, Jack Moore, Day, Smith, Wood, Hubing, Wyrick, Lien, Dassinger, Casey, Lund: A bill for an act entitled: "An act appropriating four million two hundred fifty thousand dollars to the Department of Administration for land acquisition, construction, and equipping of a health care facility." Referred to Committee on Appropriations.

House Bill No. 583, introduced by Aageson, Sivertsen, Manuel, Underdal, Gwynn, Helmbrecht, Schye, Ellison, Lien: A bill for an act entitled: "An act to amend Section 41-1121, R.C.M. 1947, to provide for the establishment of ten hour work days for the employees of regular county road and bridge departments." Referred to Committee on Labor and Employment Relations.

House Bill No. 584, introduced by Yardley: A bill for an act entitled: "An act requiring institutions, corporations, and persons to report assets and securities of decedents to the Department of Revenue and obtain its consent before transferring such assets and securities." Referred to Committee on Taxation.

House Joint Resolution No. 49, introduced by Helmbrecht, Aageson, Finley, James Moore, Underdal, Jacobsen, Halvorson, Sivertsen, Lund, W. Baeth, Casey, Bardanouve, R. Baeth, Johnston: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Montana Highway Department to designate areas of U.S. Highway 2 that qualify as 'priority primary' highway as outlined in the 1973 Federal Highway Act. Referred to Committee on Highways and Transportation.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 19, introduced by Lynch: A bill for an act entitled: "An act removing the imposition of secrecy from information submitted to the Department of State Lands under the act providing for reclamation of lands disturbed by hard rock mining by repealing Section 50-1221, R.C.M. 1947." Referred to Committee on Natural Resources.

Senate Bill No. 68, introduced by Galt, Manley, Jergeson, Roberts: A bill for an act entitled: "An act to amend Section 16-910, R.C.M. 1947, to allow the governing body of the county to meet any time for the purpose of attending to county business; and repealing Section 16-911, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 158, introduced by Blaylock: A bill for an act entitled: "An act providing that written records containing all of the pertinent facts be kept of all school board meetings and that such records be made available to public upon request; amending Section 75-5932, R.C.M. 1947." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Sivertsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 3, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 56 be amended as follows:

1. Amend title, page 1, line 5.

Strike: "encourage"

Insert: "undertake a study of the feasibility of" (80-3)

And be further amended:

2. Amend page 2, section 3, line 8.

Following: "(1)"

Insert: "Based on study conclusions" and change the capital "T" on "The" to a lower case "t" (82-0)

And as amended, do not pass. (60-36)

That House Bill No. 155 do pass. (89-0)

That House Bill No. 232 do pass. (87-0)

That House Bill No. 245 do pass. (88-2)

Dussault present at this time.

That House Joint Resolution No. 24 do pass. (88-5)

That the Committee rise and report.

SIVERTSEN, Chairman

As a substitute motion, Murphy moved that House Bill No. 56 be segregated from the Committee of the Whole report and, as amended, the report be adopted.

Motion failed and the report was adopted.

REPORTS OF STANDING COMMITTEES

February 3, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 211.

QUILICI, Chairman

February 3, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 73.

QUILICI, Chairman

February 3, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 be amended in the introduced bill as follows:

1. Amend page 1, section 1, lines 22 and 23.

Following: "services,"

Strike: "not exceeding one hundred dollars (\$100) per annum,"

2. Amend page 1, section 1, line 24.

Following: "designated"

Strike: "must"

Insert: "may"

3. Amend page 3, section 4, line 19.

Following: "on"

Strike: "the first"

Insert: "or before the tenth"

4. Amend page 3, section 4, line 20.

Following: "to the"

Strike: "contingent"

Insert: "general"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 284, respectfully report as follows: That House Bill No. 284 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following: "join"

Strike: "certain organizations"

Insert: "The Montana Sheriffs' and Peace Officers' Association"

2. Amend page 1, section 1, line 11.

Following: "in"

Strike: "organizations of county sheriffs"

Insert: "the Montana sheriffs' and peace officers' association"

3. Amend page 1, section 1, line 13 and 14.

Following: "with"

Strike: "associations and organizations of county sheriffs"

Insert: "the Montana sheriffs' and peace officers' association"

4. Amend page 1, section 1, line 16 and 17.

Following: "such"

Strike: "associations or organizations"

Insert: "association"

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 316, respectfully report as follows: That House Bill No. 316 be amended in the introduced bill as follows:

1. Amend the title, page 1, lines 4 and 5.

Following: "act to"

Strike: "amend Section 82A-901, R.C.M. 1947;"

Insert: "generally revise the law in order"

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do pass.

GERKE, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 18 and 19.

Following: "provide"

Strike: "full comprehensive and collision coverage plus"

And as amended do pass.

GERKE, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do pass.

HUENNEKENS, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Following: "city judges"

Strike: "and"

Insert: ", "

2. Amend title, page 1, line 7.

Following: "courts"

Insert: "and for the training of city judges"

3. Amend page 3, section 3, line 13.

Following: "City courts."

Insert: "(1)"

4. Amend page 3, section 3, following line 19.

Insert: "(2) There shall be an annual training session for all elected and appointed judges. This training session, which may be held in conjunction with the Montana magistrates' association convention, shall be supervised by the supreme court. Mileage and per diem shall be paid the elected or appointed judge for attending the course and shall be a proper charge against the city wherein the judge holds court."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 be amended in the introduced bill as follows:

1. Amend: page 2, section 1, subsection (d), lines 5 and 6.

Following: "situated"

Strike: "and to acquire property by proceedings in eminent domain"

Insert: ", and to acquire property by proceedings in eminent domain, where such power is granted by law"

2. Amend: page 6, section 2, subsection 4, lines 11 through 14.

Following: "Reservoirs"

Strike: ", necessary for collecting and storing water. Provided, however, that such reservoir sites must possess a public use demonstrable to the district court as the highest and best use of the land"

Insert: "necessary for agriculture and public water supplies"

3. Amend: page 7, section 2, lines 3 and 4.

Strike: "6. Private roads leading from highways to residences or farms."

Insert: "5. Private roads leading from highways to residences or farms."

Re-number: Subsequent subsections.

4. Amend: page 7, section 2, following line 4.

Insert: "6. Rights to construct, maintain and use ditches, canals, diversion systems, or laterals for agricultural or domestic uses."

Re-number: Subsequent subsections.

5. Amend: page 7, section 2, line 15.

Strike: "13. Temporary logging roads"

Insert: "8. Temporary logging roads."

Re-number: Subsequent subsections.

6. Amend: page 7, section 2, subsection 6, line 22.

Following: "cooperative"

Insert: ", "

7. Amend: page 7, section 2, line 24.

Following: "and order"

Insert: "or certificate"

8. Amend: page 7, section 2, subsection 6, line 24.

Following: "The order"

Insert: "or certificate"

9. Amend: page 9, section 4, subsection (1), line 13.

Following: "furnishing"

Insert: "agricultural, wood products,"

10. Amend: page 9, section 5, subsection (1), lines 21 through 23.

Following: "commission"

Strike: "or if the proposed use is regulated under the Utility Siting Act, from the board of natural resources and conservation"

Insert: "or a certificate of environmental compatibility and public need from the board of natural resources and conservation, if the proposed use is regulated by the utility siting act."

11. Amend page 9, section 4, subsection (2), line 24.

Following: "order"

Insert: "or certificate"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

MOTIONS

James Moore moved that House Bill No. 273 be rereferred from the Committee on Highways and Transportation to the Committee on Business and Industry.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 46 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Brand, Finley, Harper, Johnson, Kummerfeldt, Lynch, Mular. Total 7.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: None.

House Bill No. 55 passed by the following vote:

Ayes: Aageson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Jack Moore, Murphy, O'Connell, Palmer, Rasmussen, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 74.

Noes: C.R. Anderson, J. Anderson, Asher, Ellerd, Guthrie, Hubing, Jacobsen, Kanduch, Kelly, Kvaalen, Lien, Lynch, Marks, Mercer, James Moore, Mular, Quilici, Schye, Seifert, Smith, Wyrick. Total 21.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: None.

House Bill No. 59 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Dassinger, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kummerfeldt, Lester, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 56.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Conroy, Day, Ellerd, Ellison, Fishbaugh, Gerke, Guthrie, Gwynn, Hageman, Hubing, Kanduch, Kendall, Kropp, Kvaalen, Lien, Lund, McFadden, Marks, Mercer, Murphy, Robbins, Schye, Scully, Seifert, Sivertsen, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 37.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Kimble, Tropila. Total 2.

House Bill No. 83 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 88.

Noes: Mercer, Schye, Seifert, Wood, Wyrick. Total 5.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Asher, Holmes. Total 2.

House Bill No. 86 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 93.

Noes: Schye. Total 1.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Yardley. Total 1.

House Bill No. 108 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 88.

Noes: Babcock, Hager, Holmes, Mercer, Seifert, Wyrick. Total 6.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Smith. Total 1.

House Bill No. 110 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Wolfe, Yardley. Total 72.

Noes: C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Ellerd, Ellis, Ellison, Fabrega, Gould, Guthrie, Hubing, Kvaalen, Marks, Mercer, Jack Moore, Seifert, Smith, Underdal, Wood, Wyrick, Mr. Speaker. Total 22.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Travis. Total 1.

House Bill No. 122 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Schye. Total 1.

House Bill No. 167 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 69.

Noes: Aageson, Asher, Babcock, Casey, Ellerd, Ellison, Fagg, Guthrie, Hageman, Hager, Jacobsen, Kropp, Kvaalen, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Wood, Wyrick. Total 25.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Travis. Total 1.

House Bill No. 181 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Lory. Total 1.

House Bill No. 182 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Aageson, Barrett, Sivertsen, Wood. Total 4.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Jacobsen. Total 1.

House Bill No. 196 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Shelden, Sloan, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: Brand, Ellerd, Gwynn, Hubing, Johnston, Manuel, Mercer, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 14.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: None.

House Bill No. 202 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: None.

House Joint Resolution No. 13 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Ellison, Wood. Total 2.

House Joint Resolution No. 21 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Bertelsen, Driscoll, Lockrem, Menahan, Richards. Total 5.

Absent or not voting: Babcock. Total 1.

Meloy moved that the House adjourn until 1:30 p.m., February 4, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 4, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Bertelsen, Hageman, Lockrem, all excused, and Lory absent.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

February 4, 1975

To the Members of the House of Representatives:

Appropriation measures are now before the House of Representatives which relate to the leasing practices of the State of Montana.

There have been serious questions raised concerning these leasing practices in which the State of Montana is involved. Accordingly I am hereby appointing a Special Select Committee to investigate into the matter. Further details will follow.

The Select Committee is to call upon the full resources of the Legislature, including but not limited to, the power of subpoena. I request that the Legislative Audit Committee and the Auditor provide as much assistance as possible.

The Select Committee is to consist of the following members:

Representative Francis Bardanouve

Representative Mike Meloy

Representative James Moore

Representative Oscar Kvaalen

Representative Art Lund

Representative Howard Ellis

Pat McKittrick
Speaker of the House

REPORTS OF STANDING COMMITTEES

February 4, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 216, House Bill No. 306.

QUILICI, Chairman

February 3, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 197, House Bill No. 203, House Bill No. 226, House Bill No. 253, House Bill No. 294, House Bill No. 322, House Bill No. 292.

QUILICI, Chairman

February 4, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution considered correctly engrossed: House Bill No. 155, House Bill No. 232, and House Joint Resolution No. 24.

QUILICI, Chairman

February 4, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do pass.

W. BAETH, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do pass.

W. BAETH, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249 do pass.

W. BAETH, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 do pass.

W. BAETH, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 22, respectfully report as follows: That Senate Bill No. 22 be amended in the third reading bill as follows:

1. Amend page 1, title, line 7.

Following: "1974"

Insert: "and providing an effective date"

2. Amend page 1, following line 23.

Insert: "Section 2. This act is effective on its passage and approval."

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 do pass.

HUENNEKENS, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 26, respectfully report as follows: That House Joint Resolution No. 26 be amended in the introduced resolution as follows:

1. Amend page 1, line 6.

Following: "regents"

Insert: "and the Board of Public Education"

2. Amend page 1, line 18.

Following: "Regents"

Insert: "and the Board of Public Education"

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 do pass.

GUNDERSON, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299, be amended in the introduced bill as follows:

1. Amend the title, page 1, line 6.

Following: "Vocational-technical"

Strike: "Centers"

Insert: "Secondary schools"

2. Amend the title, page 1, line 8.

Before: "If"

Strike: "Center"

Insert: "Secondary school"

3. Amend section 1, page 1, line 17.

Following: "vocational-technical"

Strike: "centers"

Insert: "secondary schools"

4. Amend section 2, subsection (2), page 2, line 8.

Following: "vocational-technical"

Strike: "center"

Insert: "secondary school"

5. Amend section 2, subsection (2), page 2, line 9.

Following: "the"

Strike: "center"

Insert: "secondary school"

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 145, respectfully report as follows: That House Bill No. 145 be amended on the introduced bill as follows:

1. Amend the title, page 1, line 4.

Following: "create"

Strike: "an advisory council for statewide postsecondary education planning"

Insert: "the State Postsecondary Education Commission"

2. Amend section 1, page 1, line 10.

Following: "Section 1."

Strike: Remainder of the bill, through and including line 24, page 1.

Insert: "Statewide postsecondary planning in Montana. The state board of education when acting as the state long range postsecondary education planning agency may appoint the members of the state postsecondary education commission as provided for under section 1202 of the federal 'Higher Education Act of 1965.' The commissioner of higher education (or his designee) is the administrative officer for the state postsecondary education commission. The membership of the postsecondary education commission, which may include members from the state board of education, shall not exceed ten (10) persons and shall meet the requirements of section 1202 of the federal 'Higher Education Act of 1965' (Public Law 89-329 as amended by Public Law 92-318)."

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 7.

Following: "Bonds"

Insert: "; and providing an immediate effective date"

2. Amend section 1, subsection (1), page 1, line 16.

Following: "is"

Strike: "seven and one-half percent (7.5%)"

Insert: "eight percent (8%)"

3. Amend section 1, subsection (1), page 1, line 24.

Following: "the"

Strike: "seven and one-half percent (7.5%)"

Insert: "eight percent (8%)"

4. Amend section 1, subsection (2), page 2, line 19.

Following: "[five]"

Strike: "seven and one-half percent (7.5%)"

Insert: "eight percent (8%)"

5. Amend page 4, following line 8.

Insert: "Section 2. This act is effective on its passage and approval."

(Material in brackets denotes cancelled type.)

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 do pass.

GUNDERSON, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 do pass.

GUNDERSON, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 141, introduced by Meloy, Richards, et al

House Bill No. 520, introduced by Lynch, Wood

Respectfully yours,

John N. Hanson,
Secretary of the Senate

February 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 38 introduced by Norman and Brown (by request of Health and Environmental Sciences)

Senate Bill No. 170 introduced by Mathers and Blaylock

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Kimble moved that House Bill No. 415 be rereferred from the Committee on Local Government to the Committee on Labor and Employment Relations.

Motion carried.

Meloy moved that consideration of House Bill No. 315 now on Second Reading be passed this Legislative day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 585, introduced by Shelden, Kimble: A bill for an act entitled: "An act to provide for assistance to local governing bodies in order that they may determine goals and public policy guidelines to achieve the quality of life they desire; appropriating one hundred thousand dollars (\$100,000) from the General Fund to the Office of the Governor, Office of Budget and Program Planning, to administer this act." Referred to Committee on Local Government.

House Bill No. 586, introduced by Babcock, Marks, Herlevi, Staigmiller, Smith, Hubing: A bill for an act entitled: "An act to provide a penalty for criminal possession of marijuana with intent to sell." Referred to Committee on Judiciary.

House Bill No. 587, introduced by Marks, Babcock, Herlevi, Staigmiller, Smith, Hubing: A bill for an act entitled: "An act defining the offense of criminal cultivation of marijuana; providing a penalty of up to twenty-five years of imprisonment; amending Section 54-132, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 588, introduced by Stoltz: A bill for an act entitled: "An act amending Sections 75-7702, 75-7703, 75-5707, 75-7707, 75-7710, and 75-7714, R.C.M. 1947, to remove the Superintendent of Public Instruction as the executive officer for vocational education and giving the Board of Public Education the responsibility for hiring the executive officer from among qualified applicants." Referred to Committee on Education.

House Bill No. 589, introduced by Kimble (by request): A bill for an act entitled: "An act to allow creditable service in the Teachers' Retirement System for teaching completed at any accredited private or public institution of higher learning; amending Section 75-6213, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 590, introduced by Kimble (by request): A bill for an act entitled: "An act to allow contractors on special improvement districts and rural special improvement districts to submit alternative forms of bid security under the general provisions of Title 6, Chapters 4 and 5, R.C.M.

1947; amending Sections 11-2209, 11-2213, 16-1607 and 16-1609, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 591, introduced by South, Jack Moore: A bill for an act entitled: "An act to establish a bicentennial statewide project selection commission to select a site for a single, permanent statewide project to commemorate the bicentennial anniversary of the American Revolution; appropriating matching funds for such statewide project; and providing an immediate effective date." Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 38 introduced by Brown, Norman (by request of Department of Health and Environmental Sciences): A bill for an act entitled: "An act to establish procedures for maintaining the confidentiality of trade secrets involved in air pollution control proceedings; providing emission data shall not be considered confidential for the purpose of the Clean Air Act; amending Section 69-3918, R.C.M. 1947." Referred to Committee on Natural Resources.

Senate Bill No. 170, introduced by Mathers, Blaylock: A bill for an act entitled: "An act to amend Section 75-7205, R.C.M. 1947, to allow the establishment of a building reserve fund for the purpose of purchasing land; providing an immediate effective date." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 4, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 112 do pass. (68-23)

That House Bill No. 243 do pass. (88-2)

That House Bill No. 149 do pass. (86-2)

Meloy replaces Gerke in the Chair.

That House Bill No. 197 be passed to the bottom of the board.

Gerke resumes the Chair.

That House Bill No. 203 do pass. (85-0)

That House Bill No. 211 do pass. (83-4)

That House Bill No. 213 do pass. (86-0)

That House Bill No. 218 do pass. (89-1)

That House Bill No. 226 do pass. (64-23)

That House Bill No. 253 do pass. (90-0)

That House Bill No. 292 do pass. (80-6)

That House Bill No. 294 be amended as follows:

1. Amend title, line 6.

Following: "in"

Strike: "any type of"

Insert: "upland game bird" (77-3)

And be further amended:

2. Amend Section 1, line 13.

Following: "for"

Reinstate: "big game"

Insert: "and upland game bird"

3. Amend Section 1, line 15.

Following: "hunting"

Reinstate: "big game animals"

Insert: "upland game birds" (74-10)

And as amended, do pass. (78-10)

That House Bill No. 322 do pass. (89-2)

That House Bill No. 352 do pass. (77-11)

That Senate Bill No. 17 be concurred in. (89-0)

That Senate amendments to House Bill No. 30 be concurred in. (91-0)

That House Bill No. 197 do pass. (92-2)

That the Committee rise and report.

GERKE, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 4, 1975

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be employed by the House of Representatives for the 44th Legislative Session at the beginning of business February 3, 1975:

Terry Smith.....	Page
Kathleen Susan Brekke	Page
Judy Mehrens	Page
Kenneth Olson	Page
Ellen Boyd.....	Page
Terri Ann Miller	Page

At the beginning of business February 5, 1975, the following also be employed:

Craig Hafer.....	Page
Ava G. South.....	Page

At the close of business February 3, 1975, the following be terminated:

Matthew Buckley	Doorman
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At the beginning of business February 3, 1975, the following be employed:

Pat Shea	Doorman
Anita Sierke	Stenographer

We also recommend that Jean Nydegger be re-classified from stenographer to committee secretary, effective February 3, 1975.

STOLTZ, Vice-Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be employed by the House of Representatives for the 44th Legislative Session at the beginning of business January 20, 1975:

Susie L. Gwynn	Page
Leslie Ann Stoltz	Page
Carol Crossman	Page
Bucky Heringer	Page
Edith P. Marchello	Page
Pamela Dale	Page

At the beginning of business January 22, 1975, the following also be employed:

Linda Lien	Page
Rebecca Morrison	Page

At the close of business January 25, 1975, the following be terminated:

Susie L. Gwynn	Page
Leslie Ann Stoltz	Page
Carol Crossman	Page
Bucky Heringer	Page
Edith P. Marchello	Page
Pamela Dale	Page

At the close of business January 28, 1975, the following be terminated:

Linda Lien	Page
Rebecca Morrison	Page

At the close of business January 21, 1975, the following be terminated:

Shaun Harrington	Page
Bernie Jo Harrington	Page

STOLTZ, Vice-Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be employed by the House of Representatives for the 44th Legislative Session at the beginning of business January 29, 1975:

Denise M. Richter	Page
Mary Jo Wells	Page

At the close of business February 4, 1975, the following also be terminated.

Denise M. Richter	Page
Mary Jo Wells	Page

At the beginning of business January 27, 1975, the following also be employed:

Linda Marie Brastrup	Page
Carol Jean Ricketts	Page
George Lee Cunningham	Page
Jennifer Jo Bengtson	Page
Stephen Brown Davis	Page
Rhea Martinson	Page

At the close of business February 1, 1975, the following also be terminated:

Linda Marie Brastrup	Page
Carol Jean Ricketts	Page
George Lee Cunningham	Page
Jennifer Jo Bengtson	Page
Stephen Brown Davis	Page
Rhea Martinson	Page

STOLTZ, Vice-Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 7.

Strike: "82A-1602"

Insert: "82A-1602.24"

2. Amend page 2, section 1, subsection (b), lines 12 - 15.

Following: "veterinarian."

Strike: "In practice in the field, as distinguished from practice in an office, hospital, or clinic, the veterinary technician must be accompanied by the supervising veterinarian."

3. Amend page 14, section 8, subsection (6), line 23.

Following: "sheep,"

Reinstate: "horses,"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 472, respectfully report as follows: That House Bill No. 472 do pass.

BRADLEY, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had

under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 be amended in the introduced bill as follows:

1. Amend page 1, title, line 8.

Following: "County"

Insert: "; and providing an immediate effective date"

2. Amend page 7, section 9, following line 5.

Insert: A new section 10 as follows:

"Section 10. This act is effective on its passage and approval."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 be amended in the introduced bill as follows:

1. Amend page 1, Section 1, line 14.

Following: "(\$1)"

Insert: "after the prison is vacated by the department of institutions."

And as amended, do pass.

BRAND, Chairman

Report adopted.

February 3, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 be amended in the introduced bill.

1. Amend in the title, page 1, line 5.

Following: "Tax"

Insert: "; and providing an effective date"

2. Amend at the end of the bill.

Insert: "Section 2. This act is effective for all taxable years after December 31, 1974."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 4, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 256, respectfully report as follows: That House Bill No. 256 do not pass.

MENAHAN, Chairman

February 3, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 do not pass.

YARDLEY, Chairman

February 4, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 do not pass.

BRAND, Chairman

MOTIONS

Driscoll moved that House Bills Nos. 53 and 54 be rereferred from printing to the Committee on Appropriations.

Motion carried.

Kimble moved that the rules be temporarily suspended to permit the introduction of a joint resolution.

Motion carried with more than two-thirds voting in favor.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 73 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Bertelsen, Hageman, Lockrem. Total 3.

Absent or not voting: Lory, Lund, Jack Moore, Palmer, Scully. Total 5.

House Bill No. 102 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Bertelsen, Hageman, Lockrem. Total 3.

Absent or not voting: Kanduch, Lory, Lund, Jack Moore, Scully. Total 5.

House Bill No. 183 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 83.

Noes: Aageson, Ellerd, Gould, Gunderson, Hager, Jacobsen, Smith, Underdal, Wyrick. Total 9.

Excused: Bertelsen, Hageman, Lockrem. Total 3.

Absent or not voting: Kummerfeldt, Lory, Luebeck, Jack Moore, Scully. Total 5.

House Bill No. 212 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Gould, Hubing. Total 2.

Excused: Bertelsen, Hageman, Lockrem. Total 3.

Absent or not voting: Lory, Jack Moore, Scully. Total 3.

House Bill No. 246 passed by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Bertelsen, Lockrem, Hageman. Total 3.

Absent or not voting: C.R. Anderson, Lory, Jack Moore, Scully. Total 4.

Senate Joint Resolution No. 5 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Bertelsen, Hageman, Lockrem. Total 3.

Absent or not voting: Lory, Jack Moore, Scully. Total 3.

Driscoll moved that the House adjourn until 1:30 p.m., February 5, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 5, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church.

Pledge of Allegiance to the Flag.

Roll call. All members present except Bertelsen, Hageman, Lockrem and Kummerfeldt, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 5, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 112, 149, 197, 203, 213, 218, 226, 243, 253, 292, 322, 352.

QUILICI, Chairman

February 5, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 85, 113, 114, 229, 258, 279, 341.

QUILICI, Chairman

February 4, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 211.

QUILICI, Chairman

February 4, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 214, 249, 251, 252, 283, 301, 472.

QUILICI, Chairman

February 3, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 5.

Following: "84-202"

Insert: ", 84-301"

2. Amend page 3, after line 23, insert a new section 2.

Insert: "Section 84-301, R.C.M. 1947, is amended to read as follows:

'84-301. (1999) Classification of property for taxation. For the purpose of taxation the taxable property in the state shall be classified as follows:

Class One. The annual net proceeds of all mines and mining claims, after deducting only the expenses specified and allowed by section 84-5403; also where the right to enter upon land, to explore or prospect, or dig for oil, gas, coal or mineral is reserved in land by any person or corporation, the surface title to which has passed to another, the state department of revenue shall determine the value of the right to enter upon said tract of land for the purpose of digging, exploring, or prospecting for gas, oil, coal or minerals, and the same shall be placed in this classification for the purpose of taxation.

Class Two. All agricultural and other tools, implements and machinery, gas and other engines and boilers, threshing machines and outfits used therewith, automobiles, motor trucks and other power-driven cars, vehicles of all kinds except mobile homes, boats and all watercraft, harness, saddlery and robes and except as provided in Class Five [(b)] (a) of this section, all poles, lines, transformers, transformer stations, meters, tools, improvements, machinery and other property used and owned by all persons, firms, corporations, and other organizations which are engaged in the business of furnishing telephone communications, exclusively to rural areas, or to rural areas and cities and towns provided that any such city or town has a population of eight hundred (800) persons or less; and provided further, that the average circuit miles for each station on the system is more than one and one-quarter (1 $\frac{1}{4}$) miles.

Class Three. Livestock, poultry and unprocessed products of both; stocks of merchandise of all sorts, together with furniture and fixtures used therewith except mobile homes; and all office or hotel furniture and fixtures.

Class Four. (a) All land, town and city lots, with improvements, and all trailers affixed to land owned, leased, or under contract or purchase by the trailer owner manufacturing and mining machinery, fixtures and supplies, except as otherwise provided by the constitution of Montana, and except as such property may be included in Class Five, Class Seven or Class Eight.

(b) Mobile homes without regard to the ownership of the land upon which they are situated, except those held by a distributor or dealer of mobile homes as part of his stock in trade, and except as such property may be included in Class Eight.

Class Five. [(a) All moneys and credits, secured or unsecured, including all state, county, school district and other municipal bonds, warrants and securities, without any deduction or offset, provided, however, that the terms "moneys and credits" as herein used shall not embrace the moneyed capital employed in the banking business by any banking corporation or individual in this state.]

(a) [(b)] All poles, lines, transformers, transformer stations, meters, tools, improvements, machinery and other property used by cooperative rural electrical and co-operative rural telephone associations organized under the laws of Montana except those within the incorporated limits of a city or town in which less than ninety-five percent (95%) of the electric consumers and/or telephone users are served by a cooperative organization, and as to the property enumerated in this subsection [(b)] within incorporated limits of a city or town in which less than ninety-five percent (95%) of the electric consumers or users will be served by a cooperative organization, such property shall be put in Class Two.

(b) [(c)] All unprocessed agricultural products either on the farm or in storage, irrespective of whether said products are owned by the elevator, warehouse or flour mill owner or company storing the same, or any other person whomsoever, and excepting livestock and poultry and the unprocessed products of both.[]]

(c) [(d)] The dwelling house, and the lot on which it is erected, owned and occupied by any resident of the state, who has been honorably discharged from active service in any branch of the armed forces, who is rated one hundred percent (100%) disabled due to a service-connected disability by the United States veterans administration or its successors.

In the event of the veteran's death, the dwelling house, and the lot on which it is erected, so long as the widow remains unmarried and the owner and occupant of the property, shall remain within this classification.

Class Six. Property formerly included in this class is now classified by section 84-308, R.C.M. 1947.

Class Seven. (a) All new industrial property. New industrial property shall mean any new industrial plant, including land, buildings, machinery and fixtures which, in the determination of the state department of revenue, is used by a new industry during the first three (3) years of operation not having been assessed prior to July 1, 1961, within the state of Montana. New industry shall mean any person, corporation, firm, partnership, association, or other group which establishes a new plant or plants in this state for the operation of a new industrial endeavor, as distinguished from a mere expansion, reorganization, or merger of an existing industry or industries. Provided, however, that new industrial property shall be limited to industries that manufacture, mill, mine, produce, process or fabricate materials, or do similar work in which capital and labor are employed and in which materials unserviceable in their natural state are extracted, processed or made fit for use or are substantially altered or treated so as to create commercial products or materials; and in no event shall the term new industrial property be included to mean property used by retail or wholesale merchants, commercial services of any type, agriculture, trades or professions. And provided further, that new industrial property shall not be included to mean property which is used or employed in any industrial plant which has been in operation in this state for three (3) years or longer. Any person, corporation, firm, partnership, association or other group seeking to qualify its property for inclusion in this class shall make application to the state department of revenue in such manner and form as may be required by said department.

Class Eight. Any improvement on real property, trailers affixed to land or mobile home belonging to any person who qualifies under any one or more of the hereinafter set forth categories, valued at not more than seventeen thousand five hundred dollars (\$17,500), which is owned or under a contract for deed, and which is actually occupied by:

(1) a widow sixty-two (62) years of age or older, whether with or without minor dependent children, who qualifies under the income limitations of (4), or

(2) a widower sixty-five (65) years of age or older, whether with or without minor dependent children, who qualifies under the income limitations of (4), or

(3) a widow with minor or dependent children regardless of age, who qualifies under the income limitations of (4), or

(4) a recipient of retirement benefits whose income from all sources is not more than four thousand dollars (\$4,000) for a single person and five thousand two hundred dollars (\$5,200) for a married couple per annum. Provided further that one who applies for classification of property under this class must make an affidavit to the state department of revenue on a form as may be provided by the state department of revenue supplied without cost to the applicant, as to his income, if applicable, as to his retirement benefits, if applicable, or, as to his marital status, if applicable, and to the fact that he or she actually occupies such improvements with right of the county welfare board to investigate the applicant, on the completion of the form, as to answers given on the form. Provided, further, that the value of said property shall not increase during the life of the recipient of retirement benefits or widow or widower covered under this class. For purposes of the affidavit required for classification of property under this class, it shall be sufficient if the applicant signs a statement swearing to or affirming the correctness of the information supplied, whether or not the statement is signed before a person authorized to administer oaths, and mails the application and statement to the department of revenue. This signed statement shall be treated as a statement under oath or equivalent affirmation for purposes of section 94-7-203, R.C.M. 1947, relating to the criminal offense of swearing.

Class Nine. All property not included in the eight (8) preceding classes.”

3. Amend page 3, line 24.

Renumber: subsequent section.

And as amended, do pass.

(Material in brackets denotes cancelled type.)

YARDLEY, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do pass.

STAIGMILLER, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 6.

Following: “wildlife”

Insert: “and fur-bearing animals”

And as amended, do pass.

STAIGMILLER, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 500, respectfully report as follows: That House Bill No. 500 do pass.

STAIGMILLER, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 41, respectfully report as follows: That House Joint Resolution No. 41 do pass.

STAIGMILLER, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 do pass.

HUENNEKENS, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 do pass.

HUENNEKENS, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 do not pass.

GERKE, Chairman

February 5, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 do not pass.

GERKE, Chairman

Objection raised by Sheldon on adverse committee report on House Bill No. 340. Referred to Second Reading.

Objection raised by W. Baeth on adverse committee report on House Bill No. 192. Referred to Second Reading.

MESSAGE FROM THE OTHER HOUSE

February 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 14, introduced by Mathers, Towe

Senate Bill No. 34, introduced by Watt, Story, Hazelbaker, et al

Senate Bill No. 37, introduced by Norman, Brown (request Health and Environmental Sciences)

Senate Bill No. 40, introduced by Himsl, Drake, Romney, et al

Senate Bill No. 85, introduced by Devine, Goodover

Senate Bill No. 92, introduced by Colberg

Senate Bill No. 149, introduced by Etchart, E. Smith, Conover

Senate Bill No. 165, introduced by Cetrone, Roberts, Regan, et al

Senate Bill No. 182, introduced by Lee, Norman, Himsl, et al

Senate Bill No. 190, introduced by Lynch

Senate Bill No. 208, introduced by E. Smith, Kolstad, Etchart, et al

Senate Bill No. 209, introduced by E. Smith, Kolstad, Etchart, et al

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Fagg moved that House Bill No. 432 be rereferred from the Committee on Local Government to the Committee on Taxation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolution were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 592, introduced by Mercer (by request): A bill for an act entitled: "An act providing for the regulation and licensing of public massage parlors and public bathhouses within the State of Montana, and their employees and attendants, defining offenses and fixing penalties for violations." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 593, introduced by Fabrega, Jack Moore, Quilici, Manuel, Casey: A bill for an act entitled: "An act to provide an incentive for development of new industry in Montana by the allowance of a state license tax credit for new and expanding corporations." Referred to Committee on Taxation.

House Bill No. 594, introduced by Rasmussen (by request): A bill for an act entitled: "An act to adopt the model variable contract law." Referred to Committee on Judiciary.

House Bill No. 595, introduced by James Moore: A bill for an act entitled: "An act amending Sections 16-912, 16-2723, 25-226, 25-236, 25-401, 25-404, 43-310, and 59-801, R.C.M. 1947; to increase the mileage reimbursement allotment not to exceed nineteen cents per mile." Referred to Committee on Local Government.

House Bill No. 596, introduced by Lynch, Kelly, Quilici, Gilligan: A bill for an act entitled: "An act to provide that each uniformed deputy sheriff shall receive an allowance for uniforms and equipment." Referred to Committee on Local Government.

House Bill No. 597, introduced by Halvorson (by request of Department of Revenue): A bill for an act entitled: "An act eliminating the requirement that land and improvements be separately assessed and amending Sections 84-401, 84-429, 84-501, and 84-4002, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 598, introduced by Travis: A bill for an act entitled: "An act amending Section 87-106, R.C.M. 1947, to increase the allowable level of payments that may be received in retirement benefits before disqualification for unemployment benefits." Referred to Committee on State Administration.

House Bill No. 599, introduced by Yardley: A bill for an act entitled: "An act amending Sections 16-4505, 16-4507, 16-4508, and 16-4520, R.C.M. 1947, to clarify who may vote in relation to the formation and operation of county water and sewer districts." Referred to Committee on Judiciary.

House Bill No. 600, introduced by Bradley, Huennekens: A bill for an act entitled: "An act to clarify state policy on the management of state lands; declaring that state lands shall be managed to yield a broad range of monetary and non-monetary benefits to present and future generations of Montanans; providing that all decisions regarding state lands shall be consistent with the environmental policies, requirements, and procedures of this state; amending Sections 81-103 and 81-2401, R.C.M. 1947; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 601, introduced by Luebeck, Vincent, Menahan, Harper, Huennekens: A bill for an act entitled: "An act establishing elements of proof for recognition of prescriptive title in the public to a road or way; and to provide for a procedure for declaration." Referred to Committee on Judiciary.

House Bill No. 602, introduced by Holmes, James Moore, Meloy, McKittrick: A bill for an act entitled: "An act to transfer the Human Rights Commission to the Department of Intergovernmental Relations; to permit the Human Rights Commission to hire its own staff; to receive federal and private funds in its own name; and to make all policy decisions concerning the use of its budget; amending Section 64-305 and repealing Section 82A-1015, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 603, introduced by Scully: A bill for an act entitled: "An act to provide for a director of the Department of Justice appointed by the Governor; to place the position of criminal investigator in the office of the Attorney General; to transfer game wardens to the Justice Department; amending Sections 82A-1201, 82A-1202, 82A-1205, and 26-107, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 604, introduced by Scully (by request): A bill for an act entitled: "An act appropriating one hundred thousand dollars from the General Fund to the Department of Fish and Game for the biennium ending June 30, 1977 for administration of local government outdoor recreation programs." Referred to Committee on Appropriations.

House Bill No. 605, introduced by Scully: A bill for an act entitled: "An act to amend Section 93-302, R.C.M. 1947, to provide for two (2) judges in the Eighteenth Judicial District; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 606, introduced by Menahan, Tropila, McFadden,

Murphy: A bill for an act entitled: "An act to provide authorization, licensing and a license tax on punchboards, pulltabs, pullcards and similar devices; to provide penalties for violation of this act and to repeal all acts and parts of acts in conflict." Referred to Select Committee on Gambling.

House Bill No. 607, introduced by Meloy, Huennekens (by request): A bill for an act entitled: "An act providing for payment of the state contribution to group insurance premiums for legislators and certain seasonal employees when such persons are not on a regular payroll; amending Section 11-1024, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 608, introduced by Barrett, Guthrie, Murphy, Stoltz: A bill for an act entitled: "An act to allow school districts to operate less than one hundred eighty (180) days under certain emergency conditions with the approval of the Superintendent of Public Instruction; providing for forfeiture of a district's share of state equalization funds when a lesser school term is not approved; amending Sections 75-7402, and 75-6902, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 609, introduced by Lien, Fabrega: A bill for an act entitled: "An act to establish an ad hoc medical review board; and to amend Section 66-1036, R.C.M. 1947, to allow appeals to that board." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 610, introduced by Johnson, Palmer: A bill for an act entitled: "An act to define political committees and to permit these committees to provide poll watchers; amending Sections 23-2601 and 23-3618, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 611, introduced by Johnson: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M. 1947, increasing the public employer's contribution to insurance for public employees to twenty dollars per month; and to provide authority for funding." Referred to Committee on Labor and Employment Relations.

House Bill No. 612, introduced by Johnson, Kemmis: A bill for an act entitled: "An act amending Section 59-1605, R.C.M. 1947, to allow union shop agreements between public employers and employees." Referred to Committee on Labor and Employment Relations.

House Joint Resolution No. 50, introduced by Murphy, McKittrick, Lester, James Moore, McFadden, Huennekens, Lynch, Tropila: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign to the appropriate standing committee a study on the feasibility and desirability of creating a patient's attorney position for Montana's mental health care institutions and to have it report its findings together with any proposed legislation to the Forty-fifth Legislature. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 14, introduced by Mathers, Towe: A bill for an act entitled: "An act replacing the natural gas distributors' license tax with a severance tax on the production of natural gas; amending Sections 84-2202, 84-2203, 84-2204, 84-2206, 84-2207, and 84-2209, R.C.M. 1947; and repealing Sections 84-2101 through 84-2110, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 34, introduced by Watt, Story, Hazelbaker, Manley,

Healy: A bill for an act entitled: "An act amending Section 84-4905, R.C.M. 1947, to provide that adjusted gross income shall not include benefits paid to retired firemen, disabled firemen, and widows and orphans from fire department relief association funds." Referred to Committee on Taxation.

Senate Bill No. 37, introduced by Norman, Brown (by request of Department of Health and Environmental Sciences): A bill for an act entitled: "An act providing for determination and collection of civil penalties under the Clean Air Act." Referred to Committee on Natural Resources.

Senate Bill No. 40, introduced by Himsl, Drake, Romney, Thiessen, Flynn: A bill for an act entitled: "An act to amend Section 11-2707, R.C.M. 1947, to provide that an ordinance creating a board of adjustment may reserve certain decisions to the city or town." Referred to Committee on Local Government.

Senate Bill No. 85, introduced by Devine, Goodover: A bill for an act entitled: "An act to amend Section 16-807, R.C.M. 1947, and to allow County Fair Commissions to create capital improvement funds and providing for their regulation." Referred to Committee on Local Government.

Senate Bill No. 92, introduced by Colberg: A bill for an act entitled: "An act to amend Section 50-1055, R.C.M. 1947, to define prima facie evidence of injury to an owner's water supply in a designated ground water area and to shift burden to strip mine operator in a nondesignated area." Referred to Committee on Natural Resources.

Senate Bill No. 149, introduced by Etchart, E. Smith, Conover: A bill for an act entitled: "An act amending Section 32-21-112.1, R.C.M. 1947, to allow passengers to ride in semitrailer type house trailers." Referred to Committee on Highways and Transportation.

Senate Bill No. 165, introduced by Cetrone, Roberts, Regan, Manley, Norman, Blaylock, Seibel, Stephens, Mathers, Drake, Turnage: A bill for an act entitled: "An act to amend Section 84-301, R.C.M. 1947, to classify business inventories in Class Seven (7) for the purpose of property taxation." Referred to Committee on Taxation.

Senate Bill No. 182, introduced by Lee, Norman, Himsl, Olson: A bill for an act entitled: "An act to amend Section 69-2203, R.C.M. 1947, and provide immunity of long-term care facilities when furnishing blood product transfusion services." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 190, introduced by Lynch: A bill for an act entitled: "An act to provide nonliability for members of peer review committees and professional standards review committees; relating to certain medical professionals; and providing an immediate effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 208, introduced by E. Smith, Kolstad, Etchart, McCallum, Foster, Conover, Nelson: A bill for an act entitled: "An act providing time periods for taxes and fees in lieu of taxes on custom combines; providing for collection of fees and taxes; and amending Section 84-6008, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 209, introduced by E. Smith, Kolstad, Etchart, Foster, Nelson, Conover: A bill for an act entitled: "An act providing a definition for a custom combine unit; specifying overheight permits; providing identifying devices; providing a criminal penalty for violation; and amending

Section 84-6015, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Yardley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 5, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 315 do pass. (92-0)

That House Bill No. 214 do pass. (89-0)

That House Bill No. 216 do pass. (92-0)

That House Bill No. 249 do pass. (88-1)

That House Bill No. 251 do pass. (88-0)

That House Bill No. 252 do pass. (92-0)

That House Bill No. 283 do pass. (84-6)

That House Bill No. 301 do pass. (89-0)

That House Bill No. 306 be passed to the bottom of the board.

That House Bill No. 472 be passed to the bottom of the board.

That Senate Bill No. 22 be concurred in. (90-3)

That House Bill No. 306 do pass. (80-14)

That House Bill No. 472 do pass. (92-2)

That the Committee rise and report.

YARDLEY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 5, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 93, House Bill No. 100.

QUILICI, Chairman

February 5, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 do pass.

KIMBLE, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 be amended in the introduced bill as follows:

1. Amend page 1, section 2, line 18.

Following: "of absence"

Insert: "without pay not to exceed ten (10) days per calendar year,"

2. Amend page 1, section 2, line 19.

Following: "observe"

Insert: "recognized"

3. Amend page 1, section 2, line 20.

Following: "days"

Strike: "which are important to them"

Insert: "The employee shall give the employer at least two (2) weeks' notice of this intention to take a leave of absence under the provisions of this section, and no employer shall be required to grant such a leave if it will cause an undue hardship on the employer's business."

4. Amend page 1, section 3, lines 22 and 23.

Following: "exceed"

Strike: "one thousand dollars (\$1000)"

Insert: "five hundred dollars (\$500)"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

MOTIONS

Marks moved that the names of Lockrem and Bertelsen be placed on Fabrega's bill.

Motion carried.

Brand moved that House Joint Resolution No. 36 be rereferred from the Committee on State Administration to the Committee on Labor and Employment Relations.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 155 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker.
Total 95.

Noes: None.

Excused: Bertelsen, Hageman, Kummerfeldt, Lockrem. Total 4.

Absent or not voting: Herlevi. Total 1.

House Bill No. 211 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Gould. Total 1.

Excused: Bertelsen, Hageman, Kummerfeldt, Lockrem. Total 4.

Absent or not voting: Herlevi, Manuel. Total 2.

House Bill No. 232 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Mercer. Total 1.

Excused: Bertelsen, Hageman, Kummerfeldt, Lockrem. Total 4.

Absent or not voting: None.

House Joint Resolution No. 24 passed by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas,

Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: C. R. Anderson. Total 1.

Excused: Bertelsen, Hageman, Kummerfeldt, Lockrem. Total 4.

Absent or not voting: None.

Senate amendments to House Bill No. 30 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Gunderson, Harper, Mular. Total 3.

Excused: Bertelsen, Hageman, Kummerfeldt, Lockrem. Total 4.

Absent or not voting: None.

Driscoll moved that the House adjourn until 1:30 p.m., February 6, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 6, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asher, Halvorson, Kummerfeldt and Scully, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-Sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

Members of the Senate were admitted to the House. The Speaker called the session to order.

The Sergeant-at-Arms escorted the Lieutenant Governor and guests to the rostrum. The Speaker introduced Mr. Hal Stearns, Director of the Montana Bicentennial Administration.

The Speaker then introduced Mr. John W. Warner, Administrator of the American Revolution Bicentennial Administration who addressed the members of the House and Senate.

The session was adjourned by the Speaker. The House resumed at 1:55 p.m.

Speaker Pat McKittrick,

Please express my and my family's deep appreciation for all of the expressions of sympathy and concern from the membership of this House and their families to us during this hour of our sorrow in the loss of our wife and mother. As your love reaches out to us we say thank you.

Representative Verner Bertelsen

REPORTS OF STANDING COMMITTEES

February 5, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bills Nos. 64, 192, 228, 288, 297, 298, 316, 340, 500, House Joint Resolution No. 41.

QUILICI, Chairman

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 82, 136, 152, 153, 222, 261.

QUILICI, Chairman

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 294.

QUILICI, Chairman

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 109.

JOHNSTON, Vice-Chairman

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bills Nos. 145, 284, House Joint Resolution No. 26.

JOHNSTON, Vice-Chairman

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 2, 141, 520.

QUILICI, Chairman

February 5, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 214, 216, 245, 249, 252, 283, 301, 306, 315, 472.

QUILICI, Chairman

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 251.

QUILICI, Chairman

February 6, 1975

I have examined House Bill No. 109 introduced by me and find the same to be correct.

MC KITTRICK

February 6, 1975

The following bill will be signed on February 6, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 109.

Edwin A. Smith, Chief Clerk
House of Representatives

February 6, 1975

I have examined House Bill No. 2 introduced by me and find the same to be correct.

BARDANOUVE

February 6, 1975

I have examined House Bill No. 520 introduced by me and find the same to be correct.

LYNCH

February 6, 1975

I have examined House Bill No. 141 introduced by me and find the same to be correct.

MELOY

February 6, 1975

The following bills will be signed on adjournment on February 6, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 2, 141, 520.

Edwin A. Smith, Chief Clerk
House of Representatives

February 5, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 be amended in the introduced bill as follows:

1. Amend the title, line 6, page 1.

Following "exceed"

Strike: "five dollars (\$5)"

Insert: "four percent (4%) of the payment due"

2. Amend the title, page 1, line 8.

Following: "days late;"

Strike: "to charge interest on the late payment at a rate not to exceed twelve percent (12%);"

3. Amend the title, page 1, line 10.

Strike: "deduct"

Insert: "add"

4. Amend the title, page 1, line 10.

Following: "charges"

Strike: "from"

Insert: "to"

5. Amend section 1, page 2, line 16.

Following: "state."

Strike: "Interest"

Insert: "Penalty"

6. Amend section 1, page 2, line 17.

Following: "[rate]"

Strike: "twelve percent (12%)"

Insert: "four percent (4%) of the payment due"

7. Amend section 1, page 2, line 18.

Following: "on"

Strike: "unpaid interest, principal payments, or both"

Insert: "any payment more than fifteen (15) days late"

8. Amend section 1, page 2, line 25, and page 3, lines 1 through 4.

Following: "payments."

Strike: "No association shall charge or collect from any stockholder, member or borrower, any fines, premiums, or penalties of any kind whatsoever[.]; except that a late payment penalty not to exceed five dollars (\$5) may be charged for payments more than fifteen (15) days late."

9. Amend section 1, page 7, line 14.

Following: "penalty"

Strike: "and the additional interest charge on late payments"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 276, respectfully report as follows: That House Bill No. 276 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 6.

Following: "facilities"

Strike: "in or"

2. Amend the title, page 1, line 6.

Following: "within"

Strike: "certain distances from"

3. Amend section 1, page 3, line 6.

Following: "facilities"

Strike: "may"

Insert: "must"

4. Amend section 1, page 3, line 6.

Following: "located"

Strike: "either"

5. Amend section 1, page 3, line 6.

Following: "within"

Strike: "or outside"

6. Amend section 1, page 3, line 7.

Following: "limits."

Strike: "If located outside the city limits it must be not more than seven (7) miles in a straight line from the nearest city limits of the city wherein the main banking house is located."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 be amended in the introduced bill as follows:

1. Amend section 1, page 5, line 22.

Following: "parties"

Strike: "to the certification hearing"

2. Amend section 1, page 6, line 1.

Following: "television"

Strike: " , "

Insert: "and"

3. Amend section 3, page 11, line 20.

Following: "facility,"
Strike: "directly or indirectly,"

4. Amend section 3, page 11, line 22.

Following: "conducted"
Strike: "directly or indirectly"

5. Amend section 3, page 11, line 24.

Following: "radio,"

Strike: ","
Insert: "and"

6. Amend section 3, page 11, line 24.

Following: "television"

Strike: "or other media"

Insert: "directly or indirectly"

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 5, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 5.

Following: "1947"

Strike: "removing the"

Insert: "increasing from"

2. Amend the title, page 1, line 5.

Following: "(10%)"

Insert: "to twelve and one-half percent (12 ½%) the"

3. Amend the title, page 1, line 6.

Following: "interest rates"

Strike: "and repealing section 47-126, R.C.M. 1947"

Insert: "on loans less than fifty thousand dollars (\$50,000); and providing an effective date"

4. Amend section 1, page 1, line 11.

Following: "rate"

Strike: "not exceeding"

Insert: "not exceeding twelve and one-half percent (12 ½%) on loans less than fifty thousand dollars (\$50,000)"

5. Amend section 1, page 1, line 13.

Following: "interest"

Strike: "not exceeding the rate of"

Insert: "not exceeding the rate of twelve and one-half percent (12 ½%) per annum on loans less than fifty thousand dollars (\$50,000)"

6. Amend section 2, page 1, line 17.

Following: "Section 2."

Strike: "Section 47-126, R.C.M., 1947, is repealed."

Insert: "This act is effective on its passage and approval."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 do pass.

W. BAETH, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 161, respectfully report as follows: That House Bill No. 161 do pass.

W. BAETH, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do pass.

W. BAETH, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 430, respectfully report as follows: That House Bill No. 430 do pass.

W. BAETH, Chairman

Report adopted.

Objection raised by Yardley on adverse committee report on House Bill No. 390. Referred to Second Reading.

February 6, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 do pass.

W. BAETH, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 225, respectfully report as follows: That House Bill No. 225 do pass.

W. BAETH, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 312 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Hager,

Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 78.

Noes: Bradley, Brand, Gunderson, Guthrie, Harper, Johnson, Kemmis, Lockrem, Luebeck, Lynch, Quilici, Vincent. Total 12.

Excused: Asher, Halvorson, Kummerfeldt, Scully. Total 4.

Absent or not voting. Bardanouve, Fagg, Huennekens, Palmer, Travis, Wolfe. Total 6.

In accordance with the 24 hour rule the adverse committee report on House Bill No. 256 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Harper, Helmbrecht, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Brand, Federico, Hageman, Herlevi, Holmes, Kelly, Meloý, Mular, Shelden, Travis. Total 10.

Excused: Asher, Halvorson, Kummerfeldt, Scully. Total 4.

Absent or not voting: Fagg, Richards. Total 2.

MESSAGES FROM THE OTHER HOUSE

February 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 109, introduced by McKittrick, Driscoll, et al.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 84, introduced by Devine, Goodover (by request)

Senate Bill No. 98, introduced by Flynn, Turnage

Senate Bill No. 129, introduced by Towe, Story, Dunkle, et al

Senate Bill No. 171, introduced by Aber, Kolstad, Goodover, et al (by request of Department of Highways)

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Brand moved that House Bill No. 507 be rereferred from the Committee on State Administration to the Committee on Local Government.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 613, introduced by Palmer, Kemmis: A bill for an act entitled: "An act to amend Section 10-706, R.C.M. 1947, to provide a separate penalty for persons not reporting adoptions; provide an alternative to the fine and lessen the penalty for procuring adoptions without a license." Referred to Committee on Judiciary.

House Bill No. 614, introduced by Johnson, Kemmis, Palmer, Kimble, Mular, Menahan, Magone, Luebeck, Lester, Helmbrecht, Federico, Brand, Harper, Dussault, Gilligan, Holmes, Huennekens, Vincent: A bill for an act entitled: "An act amending Sections 84-4901, 84-4905, 84-4907, 84-4914, 84-4915, and 84-4931, R.C.M. 1947, to provide for the elimination of various exclusions from Montana taxable income; lowering the rates of the income tax; providing a tax credit for the taxpayer and each dependent; repealing Sections 84-4902, 84-4902.1, 84-4906, 84-4906.1, 84-4906.2, 84-4908, 84-4909, and 84-4910, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 615, introduced by James Moore, Finley, Quilici, Brand: A bill for an act entitled: "An act amending Section 11-1832, R.C.M. 1947, to provide that police in first and second class cities receive a minimum wage of seven hundred fifty dollars (\$750) per month." Referred to Committee on Labor and Employment Relations.

House Bill No. 616, introduced by Johnston, Schye, Jack Moore, Brand: A bill for an act entitled: "An act amending Sections 77-2502, 77-2506, and 77-2507, R.C.M. 1947, to provide an honorarium to Montanans who served in the military outside the United States during the Vietnam War." Referred to Committee on State Administration.

House Bill No. 617, introduced by Vincent, Harper, Richards, Palmer, Johnson, Bradley: A bill for an act entitled: "An act to establish a procedure to hold lobbyists accountable for unprofessional conduct." Referred to Committee on Judiciary.

House Bill No. 618, introduced by Fleming (requested by Department of Agriculture): A bill for an act entitled: "An act to amend Sections 3-1201.1, 3-1209, 3-1408, 3-3201 and 3-3311, R.C.M. 1947, to correct omissions, grammatical, and numbering errors and provide for inspection fees to be paid to the Department of Agriculture." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 619, introduced by Brand, Driscoll, Sheldon, W. Baeth, Magone, Wolfe: A bill for an act entitled: "An act to establish the Montana Timberland Taxes Act by imposing a timber yield tax, a surtax, and forestland tax as a method of taxing and appraising timberlands as provided in Section 84-429.12, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 620, introduced by Scully, Vincent, James Moore, Travis, Driscoll, Meloy, Huennekens, South, Gwynn: A bill for an act entitled: "An act providing for voter registration on and in the thirty (30) day period before an election day; allowing electors who have registered in this period to vote in the election; amending Sections 23-3011, 23-3012, 23-3015, 23-3018, and 23-3024, R.C.M. 1947; repealing Sections 23-2704, 23-3016, and 23-3017, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 621, introduced by Meloy (by request of Department of Administration): A bill for an act entitled: "An act to revise, limit, and standardize the travel expense reimbursement provisions for all state officers and employees; amending Sections 1-908, 3-2906, 26-106, 26-114, 27-240, 31-104, 41-1201, 41-2107, 43-111, 43-218, 43-714, 43-1106, 44-127, 59-538, 59-539, 59-801, 66-109, 66-408, 66-513, 66-608, 66-809, 66-909, 66-1020, 66-1226, 66-1311, 66-1410, 66-1505, 66-1815, 66-1927, 66-2104, 66-2203, 66-2403, 66-2329, 66-2604, 66-2703, 66-2910, 66-3020, 66-3107, 69-5903, 70-134, 71-217, 72-107, 75-5614, 75-6204, 76-107, 76-111, 78-1304, 82-3603, 82A-110, 82A-112, 82A-1602.10, 89-3204, 93-232, 93-305, 93-313, and 93-2014, R.C.M. 1947, and repealing Section 59-802, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 622, introduced by Kimble, James Moore, Halvorson, Finley, Sloan, Stoltz, Palmer: A bill for an act entitled: "An act to appropriate from the General Fund one hundred thousand dollars to the Department of Natural Resources for a study of the northern portion of Flathead Lake and the upper portion of the Flathead River drainage basin for the biennium ending June 30, 1977." Referred to Committee on Appropriations.

House Bill No. 623, introduced by Finley, Halvorson: A bill for an act entitled: "An act amending Sections 69-2105 and 69-2123, R.C.M. 1947, to standardize the definitions of mobile homes and recreational vehicles covered by the building and mobile home standards of the State of Montana and clarifying what homes and vehicles are included under compliance with those standards." Referred to Committee on Business and Industry.

House Bill No. 624, introduced by Finley, Gunderson, Dussault, Wood, South, Halvorson, James Moore: A bill for an act entitled: "An act amending Section 75-8128, R.C.M. 1947, to provide financing for the community college districts at a 65/35 state to local ratio." Referred to Committee on Education.

House Bill No. 625, introduced by Bradley, Johnson: A bill for an act entitled: "An act to provide for the mitigation of adverse economic situations through the utilization of transitional economics; establishing a division of transitional economics within the Department of Labor and Industry; and granting the Governor the authority to create an advisory council to carry out the purposes of the act." Referred to Committee on Business and Industry.

House Bill No. 626, introduced by Halvorson, Thomas, Kanduch, Teague, Johnson, Gilligan, Palmer, Lory: A bill for an act entitled: "An act creating an election commission to set limits on political campaign

spending and disburse public funds for the General Election; and imposing sanctions for campaign abuses." Referred to Committee on Judiciary.

House Bill No. 627, introduced by Conroy, Bengtson, Manuel, Lien, Day: A bill for an act entitled: "An act to amend Sections 84-1842 and 84-1843, R.C.M. 1947, relating to special fuel user's temporary trip permits, to provide for nonresident agricultural harvesting equipment special fuel permits." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 628, introduced by Kemmis, Huennekens, Helmbrecht, Vincent, South, Bardanouve, Fagg: A bill for an act entitled: "An act amending Sections 11-3863 and 11-3866, R.C.M. 1947, to permit local governing bodies to include in their subdivision regulations provisions concerning the reservation of sites and land areas and the dedication of sites and land areas for schools; the governing body to receive recommendations from school districts regarding adequacy of school sites." Referred to Committee on Education.

House Bill No. 629, introduced by Fagg, Vincent, Luebeck, Fabrega, Hager, Rasmussen, Meloy, Kemmis: A bill for an act entitled: "An act establishing the Montana Outdoor Recreation System." Referred to Committee on Business and Industry.

House Bill No. 630, introduced by Fabrega, Jack Moore, Seifert, Underdal, Sivertsen, C. R. Anderson, Gould, Guthrie, Lockrem, Ellison, Bertelsen, Ellis, Babcock, Wood, Hubing, John Anderson, Aageson, Kropp, Smith, Johnston, Federico, Marks, Casey, Barrett, Lund, Kvaalen, Wyrick, Schye, Mercer, Hager, Ellerd, Lien, Asher, Fagg, Lory, Dassinger, Rasmussen: A bill for an act entitled: "An act to authorize employers to hire students who are not union members during summer vacation months." Referred to Committee on Labor and Employment Relations.

House Bill No. 631, introduced by Day, South, James Moore: A bill for an act entitled: "An act amending Section 89-885, R.C.M. 1947, to place an affirmative burden of proof on applicants for water rights." Referred to Committee Natural Resources.

House Bill No. 632, introduced by Dassinger, Brand, Quilici, Magone, Vincent, South, Johnson, Kemmis, Finley, Huennekens, Mular: A bill for an act entitled: "An act requiring employers, with exceptions, to allow their employees to obtain a hot meal after working or being on duty for a period of eight and one-half (8 ½) hours." Referred to Committee on Labor and Employment Relations.

House Bill No. 633, introduced by James Moore, Kimble, Huennekens, Luebeck, Harper, Bradley, Stoltz, Palmer, Murphy, Dussault, Vincent: A bill for an act entitled: "An act to generally revise the laws relating to discrimination in employment, public accommodations, education, real property law and relating to the Human Rights Commission; amending Section 64-301, 64-305 through 64-312, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 634, introduced by James Moore, Halvorson, Mular, Vincent, Kemmis, Murphy, Huennekens, Palmer, Bradley, Finley, Luebeck, Dussault, Harper, Driscoll, Shelden: A bill for an act entitled: "An act to impose a tax on holders of waste water discharge permits and directing that the revenue so raised be spent to implement the provisions of the nongame and endangered species conservation act; amending Section 26-1802, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 635, introduced by Hubing, South: A bill for an act

entitled: "An act providing for the recall of elected county officers." Referred to Committee on Local Government.

House Bill No. 636, introduced by Gilligan, Kelly, Thomas, Gunderson, Menahan, Stoltz: A bill for an act entitled: "An act relating to certification of teachers in the public schools of Montana, creating a professional standards and licensure commission; amending Sections 75-6001 through 75-6004, 75-6006 through 75-6010, 75-6101, 75-6102, and repealing Section 75-6011." Referred to Committee on Education.

House Joint Resolution No. 51, introduced by Vincent, Fagg: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the appropriate Standing Committees to study the relationship of property taxation to land use decisions and to make recommendations to the next legislature. Referred to Committee on Taxation.

House Joint Resolution No. 52, introduced by Kimble, Bradley, Stoltz, Murphy, Travis, Vincent: A Joint Resolution of the Senate and the House of Representatives of the State of Montana calling on the administrator of the Environmental Protection Agency to collect baseline data on the quality of water and air in the Poplar River area and to study possible effects of the Poplar River power project on air and water quality in Montana. Referred to Committee on Natural Resources.

House Joint Resolution No. 53, introduced by Kemmis, Huennekens: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the United States Environmental Protection Agency to study the air pollution impact of utilizing Fort Union Basin coal and lignite. Referred to Committee on Natural Resources.

House Joint Resolution No. 54, introduced by Day, Fishbaugh, South: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Montana State Bureau of Mines to undertake studies of the groundwater resources of Montana. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 84, introduced by Devine, Goodover (by request): A bill for an act entitled: "An act providing for the recovery of indirect costs of federal assistance programs; repealing Sections 79-2409 through 79-2415, R.C.M. 1947, which refer to reimbursement of the General Fund for costs of central services; and providing an immediate effective date." Referred to Committee on State Administration.

Senate Bill No. 98, introduced by Flynn, Turnage: A bill for an act entitled: "An act amending Section 40-4913, R.C.M. 1947, relating to expenses of benevolent associations." Referred to Committee on Business and Industry.

Senate Bill No. 129, introduced by Towe, Story, Dunkle, Roberts, Cetrone, Drake: A bill for an act entitled: "An act revising the provisions concerning use of disability and pension funds of the Fire Department Relief Association, by amending Section 11-1928, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 171, introduced by Aber, Kolstad, Goodover, Healy (by request of Department of Highways): A bill for an act entitled: "An act to amend Section 32-4720, R.C.M. 1947, changing the size of the identification tag from six square inches to six inches square." Referred to Committee on Highways.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Ageson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 6, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 75 do pass. (58-35)

That House Bill No. 85 do pass. (88-4)

That House Bill No. 93 do pass. (77-16)

That House Bill No. 100 do pass. (88-1)

That House Bill No. 113 be amended as follows:

1. Amend section 1, page 1, line 19.

Following: "completed"

Insert: "The person who is to prepay under this section shall not be obligated to prepay the entire amount at one time but, upon request of the Board of County Commissioners of the county, shall prepay only that amount shown to be needed from time to time. To assure this payment or payments, the person who is to prepay shall guarantee to the Board of County Commissioners and also have a bank or banks guarantee that these amounts will be paid as needed for expenditures created by the impact." (81-6)

Scully and Halvorson present at this time.

And as amended, do pass. (92-0)

That House Bill No. 114 do pass. (85-3)

That House Bill No. 192 do not pass. (69-14)

That House Bill No. 228 do pass. (85-0)

That House Bill No. 229 do pass. (91-0)

That House Bill No. 258 do pass. (77-10)

That House Bill No. 279 do pass. (61-32)

That House Bill No. 288 do pass. (79-5)

That House Bill No. 297 do pass. (67-9)

That House Bill No. 298 do pass. (79-6)

That House Bill No. 316 do pass. (88-5)

That House Bill No. 340 do pass. (69-28)

That House Bill No. 341 be amended as follows:

1. Amend page 4, section 3, subsection (c), line 15.

Following: "land"

Strike: "in an urban area"

2. Amend page 4, section 3, subsection (d), line 22.

Following: "development"

Strike: "of an urban area" (81-1)

And as amended, do pass. (87-3)

That House Bill No. 500 do pass. (89-4)

That House Joint Resolution No. 41 do pass. (90-1)

That the Committee rise and report.

AAGESON, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 160, 161, 225, 304, 305, 430.

QUILICI, Chairman

February 6, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on February 6, 1975: House Bills Nos. 141, 2, 520.

Edwin A. Smith, Chief Clerk
House of Representatives

February 6, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 do pass.

MENAHAN, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123 do pass.

MENAHAN, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 be amended in the introduced bill as follows:

1. Amend page 1, section 2, line 21.

Strike: "vocational rehabilitation"

2. Amend page 2, section 3, line 16.

Following: "program"

Strike: "of vocational rehabilitation"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 be amended in the introduced copy as follows:

1. Amend page 1, section 2, line 12.

Following: "Montana,"

Insert: "having a mean annual flow of at least ten (10) cubic feet per second"

2. Amend page 1, section 2, line 13.

Following: "water"

Insert: "within the streambed"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 429, respectfully report as follows: That House Bill No. 429 do pass.

BRAND, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 be amended in the introduced bill as follows:

1. Amend title, page 1, line 7.

Following: "actual"

Strike: "and necessary"

2. Amend page 1, section 1, line 20.

Following: "actual"

Strike: "and necessary"

And as amended, do pass.

BRAND, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do pass.

BRAND, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 4.

Following: "to"

Strike: "provide for"

Insert: "clarify"

2. Amend page 1, title, line 5.

Following: "agents"

Strike: "; and providing penalties"

3. Amend page 1, line 9.

Following: "Section 1."

Strike: Remainder of the bill through and including page 6, line 13.

Insert: "Section 66-1925, R.C.M. 1947, is amended to read as follows:
'66-1925. Definitions. Unless the context requires otherwise, in this act:

(1) "Real estate" includes leaseholds, as well as any other interest or estate in land, whether corporeal, incorporeal, freeholder or nonfreehold, and whether the real estate is situated in this state or elsewhere.

(2) "Broker" includes an individual who for another, or for a fee, commission, or other valuable consideration, or who with the intent or expectation of receiving the same, negotiates or attempts to negotiate the listing, sale, purchase, rental, exchange, or lease of real estate or of the improvements thereon, or collects rents or attempts to collect rents, or advertises or holds himself out as engaged in any of the foregoing activities. The term "broker" also includes an individual employed by or on behalf of the owner or lessor of real estate, to conduct the sale, leasing, subleasing, or other disposition thereof at a salary or for a fee, commission or any other consideration; it also includes an individual who engages in the business of charging an advance fee or contracting for collection of a fee in connection with a contract by which he undertakes primarily to promote the sale, lease, or other disposition of real estate in this state through its listing in a publication issued primarily for this purpose, or for referral of information concerning real estate to brokers, or both; and any person who aids, attempts, or offers to aid, for a fee, any person in locating or obtaining for purchase or lease any real estate.

(3) "Salesman" includes an individual who, for a salary, commission, or compensation of any kind, is employed, either directly, indirectly, regularly, or occasionally, by a real estate broker to sell, purchase, or negotiate for the sale, purchase, exchange, or renting of real estate.

(4) "Person" includes individuals, partnerships, associations, and corporations, foreign and domestic, except that when referring to a person licensed under this act it means an individual.

(5) "Board" means the board of real estate, provided for in section 82A-1602.23.

(6) "Department" means the department of professional and occupational licensing, provided for in Title 82A, chapter 16."

And as amended, do pass.

BRAND, Chairman

Report adopted.

February 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 do not pass.

BRAND, Chairman

February 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do not pass.

BRAND, Chairman

February 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 410, respectfully report as follows: That House Bill No. 410 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Following: "units of the"

Insert: "Montana"

2. Amend title, page 1, line 6.

Following: "University"

Strike: "of Montana"

Insert: "system"

3. Amend page 1, section 1, line 13.

Following: "at"

Insert: "any units of the Montana"

4. Amend page 1, section 1, line 13.

Following: "university"

Strike: "of Montana"

Insert: "system"

5. Amend page 1, section 1, line 20.

Following: "the"

Insert: "Montana"

6. Amend page 1, section 1, line 20.

Following: "university"

Strike: "of Montana"

Insert: "system"

And as amended, do not pass.

BRAND, Chairman

February 6, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 do not pass.

MENAHAHAN, Chairman

February 6, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 4.

Following: "to"

Insert: "permit the people of a county to decide whether to"

2. Amend the title, page 1, line 7.

Following: "pandering,"

Insert: "prohibiting advertising;"

3. Amend page 1, line 11.

Insert: a new section 1 as follows and renumber all subsequent sections.

"Section 1. Legislative findings and purpose. The legislature finds that certain activities such as operating house of prostitution or a gambling casino are generally viewed by most of the people of Montana as against public morals and that such activities have consequently been proscribed by state law. The legislature further finds that the moral consensus supporting such prohibitions may not be the same on a particular issue in every region within the state. The legislature further finds that opportunity for local determination of many issues hitherto considered state matters has been created by the 1972 constitution.

It is therefore the policy of this state to recognize that local determination of some issues of public morals may now be appropriate where different regions of the state have differing prevalent views. The legislature finds that the people of a few of the counties within the state may favor the decriminalization and strict regulation of prostitution. The purpose of this act is to allow the people of those counties to decide on the local level whether prostitution should continue to be treated as a crime or should be permitted under strict licensing and regulation. Nothing in this act may be construed or interpreted as altering in any way the general public policy of the state with regard to prostitution in any other county. Such policy is that prostitution is a crime against public morals."

4. Amend page 2, section 3, line 4.

Following: "resolution,"

Insert: "ratified by a referendum to the electors of the county,"

5. Amend page 2, section 4, line 22.

Following: "sheriff,"

Insert: "a member of the county board of health who is not a county commissioner,"

6. Amend page 3, section 4, after line 19.

Insert: two new subsections (5) and (6) as follows and renumber all subsequent subsections.

"(5) The licensing board shall fix, impose, and collect fees, in addition to the licensing fees, upon the business of prostitution and the fees shall be used to pay for the added police protection and other country services required by houses of prostitution.

(6) The licensing board shall provide for regular physical examinations by licensed physicians of all persons engaged as prostitutes and any prostitute found to be afflicted with any infectious or contagious venereal disease may not engage in prostitution until a licensed physician has declared such prostitute cured of the venereal disease."

7. Amend page 11, following line 19.

Insert: a new section 13 as follows and renumber the subsequent section.

"Section 13. (1) Advertising unlawful. It shall be unlawful for any person or persons, company, association or corporation doing business in this state to advertise, in any public theater, or on the public streets of any city or town, or on the public highway, any house of prostitution.

(2) Any person convicted of violating the provisions of this section shall be fined not to exceed five hundred dollars (\$500) or be imprisoned in the county jail for any term not to exceed six (6) months, or both."

And as amended, do not pass.

MENAHAN, Chairman

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 30.

QUILICI, Chairman

February 6, 1975

I have examined House Bill No. 30 introduced by me and find the same to be correct.

MELOY

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 112 passed by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kvaalen, Lester, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Quilici, Robbins, Scully, Shelden, Sivertsen, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, John Anderson, Babcock, Bardanouve, Bertelsen, Casey, Ellerd, Ellison, Fabrega, Gwynn, Hager, Hubing, Kemmis, Kropp, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Richards, Seifert, Sloan, Smith, South, Underdal, Wood, Wyrick. Total 29.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Fishbaugh, Hageman, Lien, Palmer, Schye. Total 5.

House Bill No. 149 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Wood. Total 1.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien, Palmer. Total 3.

House Bill No. 197 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Richards. Total 1.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Dassinger, Hageman, Lien, Palmer. Total 4.

House Bill No. 203 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Barrett, Schye, Seifert, Smith. Total 4.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien, Magone, Palmer, Wood. Total 5.

House Bill No. 213 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien, Palmer. Total 3.

House Bill No. 214 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Fishbaugh. Total 1.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien, Palmer. Total 3.

House Bill No. 216 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Dassinger, Ellison, Hageman, Lien, Palmer. Total 5.

House Bill No. 218 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 89.

Noes: Bertelsen, Ellison, Gunderson, Underdal, Wood, Wyrick. Total 6.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien, Schye. Total 3.

House Bill No. 226 passed by the following vote:

Ayes: Aageson, C. R. Anderson, John Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Ellis, Ellison, Fabrega, Fleming, Gerke, Gilligan, Gould, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Thomas, Underdal, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 70.

Noes: Babcock, Bardanouve, Bradley, Driscoll, Dussault, Ellerd, Fagg, Federico, Finley, Fishbaugh, Gunderson, Guthrie, Gwynn, Harper, Holmes, Johnson, Kemmis, Meloy, Palmer, Richards, Stoltz, Teague, Travis, Tropila, Vincent, Wyrick. Total 26.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien. Total 2.

House Bill No. 243 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Gould. Total 1.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien, Meloy. Total 3.

House Bill No. 245 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Vincent. Total 1.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Ellison, Guthrie, Hageman, Lien. Total 4.

House Bill No. 249 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 91.

Noes: Bardanouve, Lynch, Magone, Yardley. Total 4.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Kropp, Lien. Total 3.

House Bill No. 252 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien, Travis. Total 3.

House Bill No. 253 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila,

Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker.
Total 94.

Noes: Kemmis. Total 1.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Fishbaugh, Hageman, Lien. Total 3.

House Bill No. 283 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 94.

Noes: Kemmis, Mr. Speaker. Total 2.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien. Total 2.

House Bill No. 292 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Babcock, Barrett, Brand, Dussault, Fagg, Gunderson, Holmes, Johnson, Lockrem, Jack Moore, Smith, Stoltz. Total 12.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Lien. Total 2.

House Bill No. 301 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer,

Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Bardanouve, Hageman, Magone. Total 3.

House Bill No. 306 passed by the following vote:

Ayes: J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 80.

Noes: Aageson, C. R. Anderson, Babcock, Barrett, Casey, Ellerd, Ellison, Hubing, Kropp, Kvaalen, Marks, Schye, Seifert, Sivertsen, Smith, Underdal, Wyrick. Total 17.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman. Total 1.

House Bill No. 315 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Harper. Total 1.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Travis. Total 2.

House Bill No. 322 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck,

Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Gould, Kendall. Total 2.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman. Total 1.

House Bill No. 352 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 87.

Noes: W. Baeth, Conroy, Gould, Guthrie, Kendall, Lien, Smith, Underdal, Wood, Wyrick. Total 10.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman. Total 1.

Bardanouve moved that House Bill No. 472 be taken from Third Reading and be rereferred to Second Reading. Motion carried.

Senate Bill No. 59 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Asher, Kummerfeldt. Total 2.

Absent or not voting: Hageman, Hubing. Total 2.

Driscoll moved that the House adjourn until 1:30 p.m., February 7, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 7, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Stoltz and Kummerfeldt, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 30.

QUILICI, Chairman

February 7, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 123, 124, 378, 429, 125.

QUILICI, Chairman

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 75.

QUILICI, Chairman

February 7, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution considered correctly engrossed: House Bills Nos. 85, 93, 100, 114, 228, 229, 258, 279, 288, 297, 298, 340, 500, 316, House Joint Resolution No. 41.

QUILICI, Chairman

February 6, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 172, 299, 365, 390.

QUILICI, Chairman

February 6, 1975

The following bills will be signed on adjournment on February 7, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 30, Senate Bill No. 16.

Edwin A. Smith, Chief Clerk
House of Representatives

February 7, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (2), line 8. Following: "section."

Insert: "Any allocation made to a city under this act may be deducted from the funds that city receives pursuant to the provisions of section 84-1840(1)(b)."

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 503, respectfully report as follows: That House Bill No. 503 do not pass.

GERKE, Chairman

February 7, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 515, respectfully report as follows: That House Bill No. 515 do not pass.

GERKE, Chairman

February 7, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 489, respectfully report as follows: That House Bill No. 489 do not pass.

GERKE, Chairman

February 7, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 do not pass.

GERKE, Chairman

Objection raised by Lynch on adverse committee report on House Bill No. 410. Referred to Second Reading.

February 7, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 be amended in the introduced bill as follows:

1. Amend title, page 1, line 7.

Following: "systems"

Insert: "; and providing an effective date"

2. Amend page 3, following line 12.

Insert: a new section.

"Section 2. This act is effective on its passage and approval."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 do pass.

SHELDEN, Chairman

Report adopted.

MESSAGE FROM THE GOVERNOR

February 6, 1975

The Honorable Pat McKittrick
Speaker of the House
44th Legislative Assembly
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 7 and 109.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

February 6, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, titles and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 24, introduced by Manuel

House Bill No. 25, introduced by Manuel

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 6, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 1, introduced by Turnage, Regan

Senate Bill No. 24, introduced by Graham

Senate Bill No. 27, introduced by Murphy

Senate Bill No. 116, introduced by Greely, Drake, Flynn, et al

Senate Bill No. 160, introduced by Blaylock (by request of the Department of Revenue)

Senate Bill No. 232, introduced by McCallum, E. Smith, Flynn, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Lockrem moved that House Bill No. 14 be taken from the Committee on Taxation and be referred to Second Reading. Lockrem asked for a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Ellerd, Ellis, Ellison, Fagg, Gould, Guthrie, Hager, Hubing, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 32.

Noes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorsen, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmillier, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 66.

Excused: Kummerfeldt, Stoltz. Total 2.

Absent or not voting: None.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 637, introduced by Holmes, Huennekens, Meloy, Wolfe, Vincent, Jack Moore, Guthrie, McKittrick, Bradley, Rasmussen, Mercer, Sloan, Dussault, C. R. Anderson, Bardanouve, Richards, Luebeck, O'Connell, Teague, Kimble, Finley, Lory, Kendall, Ellis, Johnson, Halvorsen, Shelden, Gunderson, Driscoll, Kemmis: A bill for an act entitled: "An act to amend the prisoner furlough program providing for supervision of prisoners by public and private supervising agencies, and placing responsibility for the program with the Department of Institutions by amending Sections 82-4202, 95-2217 through 95-2224, R.C.M. 1947, and repealing Section 95-2226, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 638 introduced by Ellis, Johnson, Kemmis, Bertelsen, Guthrie: A bill for an act entitled: "An act to amend Section 69-2105, R.C.M. 1947, to allow for inclusion of urban subdivisions, urban zoning districts and urban zoning classifications into the jurisdictional area covered by the extension of municipal building codes." Referred to Committee on Local Government.

House Bill No. 639, introduced by Holmes, Mercer, Hager, Guthrie, Wood, Fagg, C. R. Anderson, Palmer, Lien, Wyrick, Kemmis, Manuel, Wolfe, Fleming, Bradley, Dussault, Johnson, Kummerfeldt: A bill for an act entitled: "An act to tax profits from gambling activities that exceed one hundred dollars per day." Referred to Select Committee on Gambling.

House Bill No. 640, introduced by Murphy, Lester, Kanduch, Lynch, Kemmis, Mular, James Moore, O'Connell, Huennekens, Menahan, Quilici, South, Travis, Teague, McFadden, Vincent, Harper, Tropila, McKittrick, Dussault, Kimble: A bill for an act entitled: "An act creating the office of patients' attorney for Montana's mental health care patients." Referred to Committee on Judiciary.

House Bill No. 641, introduced by Bradley, Meloy: A bill for an act entitled: "An act to provide licensing requirements and procedures for environmental consultants; to create a board of environmental consulting; and to provide penalties." Referred to Committee on Natural Resources.

House Bill No. 642, introduced by Driscoll, Bengtson: A bill for an act entitled: "An act relating to the renewable resource development program of the state, providing the method of accounting for funds appropriated for the program, providing for the creation of state debt by the issuance of bonds in anticipation of the receipt of such funds, supported by the pledge of the full faith and credit of the state, providing for making renewable resource development loans and grants, and appropriating coal tax revenues and general fund money for these purposes." Referred to Committee on Taxation.

House Bill No. 643, introduced by Bardanouve, Lund, Jacobsen, Manuel: A bill for an act entitled: "An act to amend the State Budget Act by providing definitions; by amending Section 79-1015, R.C.M. 1947, to specify information to be contained in the proposed budget; providing for the submission of variance reports; and repealing Section 79-1015.1, R.C.M. 1947." Referred to Committee on Appropriations.

House Bill No. 644, introduced by Babcock, Barrett, Rasmussen, John Anderson, Jack Moore, Fabrega, Johnston, C. R. Anderson: A bill for an act entitled: "An act amending Sections 91A-3-719 and 91A-3-720, R.C.M. 1947; requiring the compensation of personal representatives and attorneys to be reasonable and determined by the court under the Montana Uniform Probate Code." Referred to Committee on Judiciary.

House Bill No. 645, introduced by Babcock, Marks, Barrett, Underdal, Rasmussen: A bill for an act entitled: "An act to provide that the Department of Institutions be headed by the Board of Institutions which board shall appoint the director; amending Sections 82A-801 and 82A-806, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 646, introduced by McKittrick, Holmes: A bill for an act entitled: "An act to provide that one member of the Board of Pardons serve full-time and that the responsibility for field services staff for probation and parole be transferred to the Department of Institutions; amending Sections 82A-804, 95-3203 through 95-3206, R.C.M. 1947; renumbering and amending Sections 95-3210, 95-3213 and 95-3220, R.C.M. 1947; and repealing Sections 95-3207, 95-3211, 95-3212, and 95-3219, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 647, introduced by James Moore, Mular, Johnson, Lester, Dussault, Kelly, Finley, Vincent, Scully: A bill for an act entitled: "An act to provide for registration to vote by mail; amending Section 23-3006, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 648, introduced by Lynch (by request): A bill for an act entitled: "An act to generally update and revise laws relating to licensure of plumbers; amending Sections 66-2401, 66-2401.1, 66-2402, 66-2403, 66-2404, 66-2406, 66-2411, 66-2415, 66-2416, 66-2419, 66-2420, and 66-2426, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 649, introduced by Kimble (by request): A bill for an act entitled: "An act appropriating forty-two thousand dollars (\$42,000) to the University of Montana at Missoula for a radio talking book service for the print handicapped." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 650, introduced by Vincent, Bradley, Shelden, Harper, Meloy, Fagg, Huennekens, Dussault, Stoltz: A bill for an act entitled: "An act to amend Sections 50-1602 through 50-1609, 50-1614, 50-1615, 50-1616, 50-1035 through 50-1039, 50-1041 through 50-1046, 50-1053, and 50-1055, R.C.M. 1947, to provide for control of surface effects of underground mining operations and the reclamation of lands and waters affected by underground mining." Referred to Committee on Natural Resources.

House Joint Resolution No. 55, introduced by Dussault, Huennekens, Stoltz, Murphy, Palmer, Johnson, Finley: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Governor to continue the Mental Health Advisory Council. Referred to Committee on Public Health, Welfare and Safety.

House Joint Resolution No. 56, introduced by Palmer, Johnson, Ellis, Jack Moore, Vincent, Johnston, Kemmis, Stoltz, Dussault, Bradley, Lester, Kelly, Brand, Huennekens, Wolfe, Thomas, Gunderson, James Moore, Sloan, Harper, Holmes, Federico, Luebeck, Travis, Lien, Kanduch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana condemning the proposed increase in cost of food stamps by the U. S. Department of Agriculture. Referred to Committee on Public Health, Welfare and Safety.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 1 introduced by Turnage, Regan: A bill for an act entitled: "An act to recodify and generally revise the alcoholic beverage control laws." Referred to Committee on Business and Industry.

Senate Bill No. 24, introduced by Graham: A bill for an act entitled: "An act amending Section 84-701, R.C.M. 1947, to enlarge the State Tax Appeal Board to five (5) members." Referred to Committee on State Administration.

Senate Bill No. 27, introduced by Murphy: A bill for an act entitled: "An act to amend Section 91-4414, R.C.M. 1947, to raise to sixty thousand dollars (\$60,000) the inheritance tax exemption allowed to immediate family members of the decedent." Referred to Committee on Taxation.

Senate Bill No. 116, introduced by Greely, Drake, Flynn, Watt: A bill for an act entitled: "An act to amend Section 16-2618, R.C.M. 1947, to allow a local governing body to solicit bids for the investment of public funds." Referred to Committee on Local Government.

Senate Bill No. 160, introduced by Blaylock (by request of Department of Revenue): A bill for an act entitled: "An act to amend Section 91A-3-1004, R.C.M. 1947, to allow the filing of a receipt from the County

Treasurer showing that the inheritance tax has been paid." Referred to Committee on Taxation.

Senate Bill No. 232, introduced by McCallum, E. Smith, Flynn, Aber, Etchart, Kolstad: A bill for an act entitled: "An act to cut the junk vehicle disposal fees in half; amending Section 69-6807, R.C.M. 1947." Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 7, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows: That House Bill No. 472 be amended as follows:

1. Amend the title, page 1, line 8.

Following: "1947"

Insert: "; and providing an effective date" (87-0)

And be further amended:

2. Amend the bill, page 4, following line 20.

Insert: "Section 3. This act is effective April 1, 1975." (84-4)

And as amended, do pass. (85-6)

That House Bill No. 136 do pass. (97-0)

That House Bill No. 145 do pass. (58-39)

That House Bill No. 152 do pass. (64-33)

That House Bill No. 153 do pass. (77-20)

That House Bill No. 160 do pass. (57-29)

That House Bill No. 161 do pass. (65-31)

That House Bill No. 172 do pass. (59-31)

That House Bill No. 222 be passed for the day.

That House Bill No. 225 be passed to the bottom of the board.

That House Bill No. 261 do pass. (90-1)

That House Bill No. 284 do pass. (77-9)

That House Bill No. 299 do pass. (89-0)

That House Bill No. 304 do pass. (85-1)

That House Bill No. 305 be passed to the bottom of the board.

That House Bill No. 365 do pass. (86-1)

That House Bill No. 390 be amended as follows:

1. Amend section 1, subsection (2), page 3, line 21.

Following: "auditor"

Insert: "or to the county clerk and recorder in counties that do not have a county auditor" (86-0)

And as amended, do pass. (48-44)

That House Bill No. 430 do pass. (85-0)

That House Joint Resolution No. 26 do pass. (75-12)

That House Bill No. 225 do pass. (70-17)

That House Bill No. 305 be amended as follows:

1. Amend title, page 1, line 6.

Following: "and"

Insert: "encouraging" (78-2)

And be further amended:

2. Amend page 2, line 18.

Following: "bicycle"

Strike: "shall"

Insert: "is encouraged to" (86-3)

And as amended, do pass. (86-3)

That the Committee rise and report.

MURPHY, Chairman

As a substitute motion, Driscoll moved that House Bill No. 152 be segregated from the Committee of the Whole Report, and as amended, the report be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 7, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on February 7, 1975: House Bill No. 30, Senate Bill No. 16.

Edwin A. Smith, Chief Clerk
House of Representatives

February 7, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 77, 276, 327, 337.

JOHNSTON, Vice-Chairman

February 7, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be terminated by the House of Representatives for the 44th Legislative Session at the close of business February 8, 1975:

Dave W. Schuler	Page
Martha R. Rehbein	Page
Terry Smith.....	Page
Kathleen Susan Brekke	Page

Judy Mehrens	Page
Kenneth Olson	Page
Ellen Boyd	Page
Terri Ann Miller	Page

LYNCH, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 5.

Following: "59-1609"

Insert: ", R.C.M. 1947,"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 7.

Following: "forth in"

Insert: "Sections"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 6.

Following: "1947"

Insert: "; and providing for an effective date"

2. Amend page 3, after line 23.

Insert: a new section 2 to read as follows:

"Section 2. Compliance with the provisions of this act shall be completed within five (5) years of its passage and approval."

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations,

having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 12.

Strike: "Semimonthly payment"

Insert: "Payment"

2. Amend page 2, section 1, subsection (2), line 4.

Strike: "at least twice in each month"

3. Amend page 2, section 1, subsection (2), line 9.

Strike: "five (5)"

Insert: "ten (10)"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 be amended in the introduced bill as follows:

1. Amend page 1, title, line 6.

Strike: "in criminal proceedings"

Insert: "; amending Section 93-901, R.C.M. 1947"

2. Amend page 2, section 1, subsection (2), following line 22.

Insert: "Section 2. Section 93-901, R.C.M. 1947, is amended to read as follows:

'93-901. Cases in which judge may be disqualified — calling in another judge. Any justice, judge, or justice of the peace must not sit or act as such in any action or proceeding:

1. To which he is a party, or in which he is interested;

2. When he is related to either party by consanguinity or affinity, within the sixth degree, computed according to the rules of law;

3. When he has been attorney or counsel for either party in the action or proceeding, or when he rendered or made the judgment, order, or decision appealed from;

4. When either party makes and files an affidavit as hereinafter provided, that he has reason to believe, and does believe, he cannot have a fair and impartial hearing or trial before a [district] judge, justice, magistrate, or justice of the peace. Such affidavit may be made by any party to an action, motion, or proceeding, personally, or by his attorney or agent, and shall be filed with the clerk of the [district] court in which the same may be pending.

In any [judicial] district having only one judge, justice, magistrate, or justice of the peace, the affidavit of disqualification with reference to any action or proceeding to be tried before a jury must be filed at least one day before the day appointed or fixed by the court for setting the trial calendar; provided, however, this limitation shall not apply unless notice of such setting date shall be given to all parties by the clerk of the [district] court at least fifteen (15) days prior thereto. In all other cases the affidavit must be filed at least fifteen (15) days before the day appointed or fixed for the hearing or trial of any such action, motion or

proceeding (provided such party shall have had notice of the hearing of such action, motion, or proceeding for at least the period of fifteen (15) days and in case he shall not have had notice for such length of time, he shall file such affidavit immediately upon receiving such notice). Upon the filing of the affidavit, the judge, justice, magistrate, or justice of the peace, as to whom said disqualification is averred shall be without authority to act further in the action, motion, or proceeding, but the provisions of this section do not apply to the arrangement of the calendar, the regulation of the order of business, the power of transferring the action or proceeding to some other court nor to the power of calling in another [district] judge, justice, magistrate, or justice of the peace to sit and act in such action or proceeding, providing that no judge, justice, magistrate, or justice of the peace shall so arrange the calendar as to defeat the purposes of this section. No more than two judges, justices, magistrates or justices of the peace can be disqualified in said action or proceeding, at the instance of the plaintiff, and no more than two at the instance of the defendant, in said action or proceeding, and this limitation shall apply however many parties or persons in interest may be plaintiffs or defendants in such action or proceeding. If there be more than one judge, justice, magistrate, or justice of the peace in any [judicial] district in which said affidavit is made and filed, upon the first disqualification of a judge, justice, magistrate, or justice of the peace in the cause, another judge, justice, magistrate, or justice of the peace, residing in the [judicial] district wherein the affidavit is made and filed, must be called in to preside in such action, motion or proceeding; upon the second or any subsequent disqualification of a judge, justice, magistrate, or justice of the peace in the cause, a [district] judge, justice, magistrate, or justice of the peace of another [judicial] district of the state must be called in to preside in such action, motion, or proceeding, or the action, motion, or proceeding transferred to a [district] judge, justice, magistrate, or justice of the peace of another [judicial] district of the state; when another judge, justice, magistrate, or justice of the peace has assumed jurisdiction of an action, motion, or proceeding, the clerk of the [district] court in which the same was pending, shall at once notify the parties or their attorneys of record in the same, either personally or by registered mail, of the name of the judge, justice, magistrate, or justice of the peace, called in, or to whom such action, motion, or proceeding was transferred. Such second or subsequent affidavit of disqualification shall be filed with the clerk of the [district] court in which such action, motion or proceeding may be pending within three days after the party or his attorney of record, filing such affidavit, has received notice as to the judge, justice, magistrate, or justice of the peace assuming jurisdiction of such action, motion, or proceeding.”

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (3), line 25.
Strike: "reasonable"
2. Amend page 1, section 1, subsection (3), line 25.
Following: "sum"

Insert: "of fifteen thousand dollars (\$15,000)"

3. Amend page 2, section 1, subsection (3), line 5.

Following: "votes"

Insert: "cast in Montana"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), line 22.

Following: "expense,"

Insert: "or"

2. Amend page 1, section 1, subsection (2), line 22.

Following: "prison"

Strike: ", or while residing on a military reservation"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 7, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 237, respectfully report as follows: That House Bill No. 237 do not pass.

SHELDEN, Chairman

MOTIONS

Fagg moved that House Bill No. 629 be rereferred from the Committee on Business and Industry to the Committee on Natural Resources.

Motion carried.

Brand moved that House Bill No. 222 be taken from Second Reading and be rereferred to the Committee on State Administration.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 75 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Richards, Robbins, Scully, Sheldon, Sivertsen, Sloan, South, Staigmiller, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 68.

Noes: C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Conroy, Driscoll, Ellerd, Ellison, Guthrie, Gwynn, Hubing, Jacobsen, Kropp, Kvaalen, Lockrem, Lory, Manuel, Marks, Mercer, Rasmussen, Schye, Seifert, Smith, Underdal, Wood, Wyrick. Total 27.

Paired: Quilici, aye; Babcock, no.

Excused: Kummerfeldt, Stoltz. Total 2.

Absent or not voting: Fleming, Gould, Palmer. Total 3.

House Bill No. 251 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 92.

Noes: Ellerd, Guthrie, Wyrick. Total 3.

Excused: Kummerfeldt, Stoltz. Total 2.

Absent or not voting: Babcock, Fleming, Quilici. Total 3.

House Bill No. 294 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: R. Baeth, Gould, Helmbrecht, Lynch, Magone, Mular, Travis, Tropila. Total 8.

Excused: Kummerfeldt, Stoltz. Total 2.

Absent or not voting: Babcock, Fleming, Quilici. Total 3.

Senate Bill No. 17 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch,

Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Kummerfeldt, Stoltz. Total 2.

Absent or not voting: Babcock, Fleming, Quilici. Total 3.

Senate Bill No. 22 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, .Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Harper, Lester, Mular. Total 3.

Excused: Kummerfeldt, Stoltz. Total 2.

Absent or not voting: Babcock, Fleming, Quilici. Total 3.

Driscoll moved that the House adjourn until 1:30 p.m., February 8, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 8, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church.

Pledge of Allegiance to the Flag.

Roll call. All members present except Quilici, Kummerfeldt, Gwynn, Fleming, Babcock, Casey, and Hager, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-eighth Legislative Day, find the same to be correct.

JOHNSTON, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 8, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 120, 254, 188, 280.

JOHNSTON, Vice-Chairman

February 8, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution considered correctly engrossed: House Bills Nos. 136, 145, 153, 160, 161, 172, 225, 261, 284, 299, 304, 365, 430. House Joint Resolution No. 26.

JOHNSTON, Vice-Chairman

February 7, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 416.

JOHNSTON, Vice-Chairman

February 8, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bills Nos. 113, 341.

JOHNSTON, Vice-Chairman

February 8, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Forty-fourth Legislative Session at the beginning of business February 3, 1975.

Anita C. Sierke.....Stenographer

At the beginning of business February 7, 1975, the following also be employed:

Velma Leone ReberTypist

LYNCH, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 508, respectfully report as follows: That House Bill No. 508 do pass.

W. BAETH, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 465, respectfully report as follows: That House Bill No. 465 do pass.

W. BAETH, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do pass.

GUNDERSON, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 501, respectfully report as follows: That House Bill No. 501 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), line 15.
Following: "Pine Hills school,"
Insert: "aftercare"

2. Amend page 1, section 1, subsection (1), line 18.
Following: "Title 80,"
Insert: "chapter 14 and"

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Bill No. 394, respectfully report as follows: That House Bill No. 394 do not pass.

LYNCH, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 65 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley,

Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 80.

Noes: Bardanouve, Gunderson, Hageman, Halvorson, Huennekens, Kemmis, Luebeck, Lynch, Quilici, Richards, Shelden. Total 11.

Paired: Meloy, aye; Quilici, no.

Excused: Babcock, Casey, Fleming, Gwynn, Hager, Kummerfeldt. Total 6.

Absent or not voting: Lockrem, Travis, Wood. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 170 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Bradley, Finley, Gunderson, Kimble, Travis. Total 5.

Excused: Babcock, Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 7.

Absent or not voting: Federico, Lockrem, Richards, Shelden, Wood. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 171 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Scully, Seifert, Sivertsen, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 74.

Noes: Bertelsen, Bradley, Brand, Dassinger, Fabrega, Finley, Gunderson, Hageman, Holmes, Huennekens, McFadden, Robbins, Shelden, Sloan, Travis. Total 15.

Excused: Babcock, Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 7.

Absent or not voting: Federico, Lester, Lockrem, Wood. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 189 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 86.

Noes: Murphy, Richards, Shelden. Total 3.

Excused: Babcock, Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 7.

Absent or not voting: Lockrem, Lund, Travis, Wood. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 503 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Kelly, Lynch. Total 2.

Excused: Babcock, Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 7.

Absent or not voting: Ellis, Federico, Lockrem, Shelden, Travis, Wood. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 371 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gould, Gunderson, Guthrie, Hageman, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Conroy, Federico, Gilligan, Harper, Kelly, Lynch, Mular. Total 7.

Excused: Babcock, Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 7.

Absent or not voting: Lockrem, Thomas, Travis, Wood. Total 4.

February 8, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 345, respectfully report as follows: That House Bill No. 345 do pass.

HUENNEKENS, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 be amended in the introduced bill as follows:

1. Amend page 1, title, line 7.

Following: "1947"

Insert: "; and providing an effective date"

2. Amend page 4, section 1, subsection (7), following line 14.

Insert: "Section 2. This act is effective on January 1, 1976."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 45, respectfully report as follows: That House Joint Resolution No. 45 be amended in the introduced bill as follows:

1. Amend page 3, lines 6 and 7.

Following: "Task Force"

Strike: "and implement the recommendations that will be made by the Task Force"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 do pass.

YARDLEY, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 241 respectfully report as follows: That House Bill No. 241 do pass.

YARDLEY, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 be amended in the introduced bill as follows:

1. Amend page 5, section 6, line 19.

Strike: "All"

Insert: "Ten percent (10%) of all"

2. Amend page 5, section 6, line 23.

Following: "fund"

Insert: ", and the remainder to the general fund of the county in which the airplane is based or predominantly located during the year"

3. Amend pages 5 and 6, section 6, beginning on line 23.

Following: "fund."

Strike: All the following material on page 5 and through line 16, page 6.

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 be amended in the introduced bill as follows:

1. Amend page 5, section 3, line 14.

Following: "pickups,"

Insert: "whose licensed gross vehicle weight is ten thousand (10,000) pounds or less,"

2. Amend page 5, section 3, line 15.

Following: "(2)"

Strike: "1 to 2 ton trucks (manufacturers' rated weight)"

Insert: "Motor trucks and truck tractors whose licensed gross vehicle weight is over ten thousand (10,000) pounds and less than eighteen thousand (18,000) pounds"

3. Amend page 5, section 3, line 17.

Following: "(3)"

Strike: "2 ½ ton trucks (manufacturers' rated weight)"

Insert: "Motor trucks and truck tractors, whose licensed gross vehicle weight is eighteen thousand (18,000) pounds or more and less than thirty-six thousand (36,000) pounds"

4. Amend page 5, section 3, line 19.

Following: "(4)"

Strike: "Over 36,000 GVW"

Insert: "Motor trucks and truck tractors, whose licensed gross vehicle weight is thirty-six thousand (36,000) pounds or more"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 do pass.

YARDLEY, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 do pass.

YARDLEY, Chairman

Report adopted.

Objection raised by Holmes on adverse committee report on House Bill No. 515. Referred to Second Reading.

Objection raised by Barrett on adverse committee report on House Bill No. 489. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

February 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House amendments to Senate Joint Resolution No. 5 were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 83, introduced by Devine and Goodover

Senate Bill No. 164, introduced by Boylan, Devine, Manley, et al

Senate Bill No. 178, introduced by Conover, Jergeson, Lynch (by request of Department of Highways)

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Palmer moved that House Bill No. 327 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Menahan moved that the rules be temporarily suspended to allow introduction of a House Resolution regarding the anniversary of the death of Wayne Estes. Motion carried with a two-thirds majority.

Kimble moved that House Bill No. 429 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Lynch moved that House Bill No. 648 be rereferred from the Committee on Labor and Employment Relations to the Committee on Public Health, Welfare and Safety.

Motion carried.

As provided in House Rule 8-1, Driscoll moved that the House adopt an amendment to House Resolution No. 1 creating a new House rule which reads as follows: "Chapter 2: 2-1. Lobbying on the floor of the House of Representatives is prohibited during the session and within two hours prior to the commencement of a session and within one-half hour after recess or adjournment."

The motion was referred to the Committee on Rules.

Holmes moved that House Bill No. 602 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Judiciary.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 651, introduced by Sivertsen: A bill for an act entitled: "An act to be known as the Montana Auto Accident Reparations Act; providing a no-fault insurance system for the State of Montana." Referred to Committee on Judiciary.

House Bill No. 652, introduced by Kemmis, Huennekens, Meloy: A bill for an act entitled: "An act to amend Sections 11-3860 through 11-3864, R.C.M. 1947; to clarify the regulation of subdivisions; providing an immediate effective date." Referred to Committee on Business and Industry.

House Bill No. 653, introduced by Aageson: A bill for an act entitled: "An act amending Section 23-3002, R.C.M. 1947, to provide extra compensation for a county clerk and recorder in years when he supervises the conduct of an election." Referred to Committee on Local Government.

House Bill No. 654, introduced by Aageson, Sivertsen, Lockrem, Marks, Kropp, Ellison, Guthrie, Wyrick, Underdal, Jack Moore, Ellis, C. R. Anderson, Babcock, Mercer, Lund, Barrett, Smith, Fabrega, Schye, Hubing, Casey, J. Anderson, Seifert, Wood, Gould, Bertelsen, Rasmussen, Hager, Kvaalen, Asher: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to Article VIII, Section 9 of the Montana Constitution, relating to a balanced budget." Referred to Committee on Judiciary.

House Bill No. 655, introduced by Dussault, Fabrega, Lester, Fagg, Vincent, Tropila, Travis, Gilligan, Lynch, Holmes, Stoltz, Huennekens, Kimble, Luebeck: A bill for an act entitled: "An act to amend Sections 75-7801, 75-7806, 75-7807, and 75-7813.1, R.C.M. 1947, to expand the

definition of special education to include the gifted and talented, eliminate the cultural exclusion for educationally handicapped, provide for discretionary establishment of programs for the gifted and talented, include the trainable mentally retarded in the twenty-one to twenty-five year age eligibility, the right of parents to petition for programs for gifted and talented, to allow five percent of allowable costs for general district administrative costs for special education, to provide a ratio formula for principals, and to provide cost of travel for special education personnel who travel in relation to their job descriptions." Referred to Committee on Education.

House Bill No. 656, introduced by Johnson, Lester, Dussault, Kemmis, Palmer, Gwynn, Helmbrecht, Huennekens, Fleming, Bradley, South, Magone, Gunderson, Kimble, Tropila, Shelden, Fishbaugh, Brand, Harper, Halvorson, Dassinger, Luebeck, Menahan: A bill for an act entitled: "An act to amend Sections 59-1602 and 59-1605, R.C.M. 1947, by allowing student representatives to participate in negotiations involving the Board of Regents and public employees in certain cases." Referred to Committee on Education.

House Bill No. 657, introduced by Wood, Aageson, Wyrick, Hager, Kvaalen, Hubing, Schye, Guthrie, Shelden, Holmes: A bill for an act entitled: "An act to prohibit the consumption of alcoholic beverages and the possession of open receptacles containing alcoholic beverages in or on motor vehicles while upon public highways." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 658, introduced by Bradley, Dussault: A bill for an act entitled: "An act to require the Department of Highways to designate scenic routes and to amend Section 82A-701.1, R.C.M. 1947." Referred to Committee on Highways and Transportation.

House Bill No. 659, introduced by Shelden, Schye: A bill for an act entitled: "An act to amend Section 50-1039, R.C.M. 1947, to exempt any political subdivision or agency of the state or federal government from bonding requirements of the Strip Mining Reclamation Act." Referred to Committee on Natural Resources.

House Bill No. 660, introduced by O'Connell, Tropila, McFadden, Kelly, Lynch, Mular, Quilici, Menahan: A bill for an act entitled: "An act legalizing slot machines; creating the Montana Gaming Control Board; prescribing its duties and powers; providing for the collection and disposition of license fees; providing for local option elections and providing penalties." Referred to Select Committee on Gambling.

House Bill No. 661, introduced by Hager, Fagg, Staigmillier: A bill for an act entitled: "An act to amend Section 26-104.6, R.C.M. 1947, to authorize the Fish and Game Commission to utilize installment contracts to facilitate the acquisition of lands and waters." Referred to Committee on Fish and Game.

House Bill No. 662, introduced by Lockrem, Quilici, McKittrick, Gerke: A bill for an act entitled: "An act to permit financial institutions to establish unmanned satellite facilities." Referred to Committee on Business and Industry.

House Bill No. 663, introduced by Kemmis, Fagg, Johnson, Bradley, Richards: A bill for an act entitled: "An act to encourage investment in nonfossil forms of energy generation and in energy conservation in buildings through tax incentives and capital availability." Referred to Committee on Taxation.

House Bill No. 664, introduced by Conroy, Lien: A bill for an act entitled: "An act revising the penalty provisions of the Montana Strip Mining and Reclamation Act; amending Sections 50-1050 and 50-1056, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 665, introduced by Bardanouve, Meloy, Huennekens: A bill for an act entitled: "An act to require owners of land bordering upon navigable waters to obtain a permit from the Department of Natural Resources and Conservation to build docks and wharves; amending Sections 89-601 and 89-603, R.C.M. 1947." Referred to Committee on Natural Resources.

House Joint Resolution No. 57, introduced by Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana designating the fourth Friday in September of every year as 'Native American Indian Day' in the State of Montana and inviting the people of the State of Montana to observe that day with appropriate ceremonies and activities. Referred to Committee on State Administration.

House Joint Resolution No. 58, introduced by Kemmis: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Congress of the United States, the United States Environmental Protection Agency, and the Governor of Montana to uphold to the fullest extent the existing state and federal air pollution control laws and regulations. Referred to Committee on Natural Resources.

House Resolution No. 2, introduced by McKittrick, Lynch: A Resolution of the House of Representatives of the State of Montana authorizing certain legislative officers and employees to prepare the business of the regular session of the Forty-fourth Legislature. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 83, introduced by Devine, Goodover (by request): A bill for an act entitled: "An act relating to participation by the state in federal assistance programs; prescribing the duties of the State Budget Director regarding these programs; providing procedures by which such programs may be accepted by the state; providing for reports on these programs; and repealing Section 82-112, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 164, introduced by Boylan, Devine, Manley, Roberts, Galt, Kolstad, Aber, Mehrens, Healy, Lee: A bill for an act entitled: "An act amending Section 4-117, R.C.M. 1947, to remove archaic language and to provide a person who purchases liquor in case lots with a five percent (5%) reduction from the retail price." Referred to Committee on Business and Industry.

Senate Bill No. 178, introduced by Conover, Jergeson, Lynch, Aber, Nelson (by request of Department of Highways): A bill for an act entitled: "An act to amend Section 84-1840, R.C.M. 1947, to provide that funds allocated thereunder be on a monthly basis." Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lory in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 8, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 77 do pass. (74-16)

Babcock present at this time.

That House Bill No. 123 do pass. (88-4)

That House Bill No. 124 do pass. (89-1)

That House Bill No. 125 do pass. (87-6)

That House Bill No. 152 be amended as follows:

1. Amend page 1, line 10.

Strike: Section 1 in its entirety.

Insert: "Section 1. The salary received by residents of Montana, who are serving in an enlisted status in the regular armed forces, and who entered into active duty from Montana, is exempt from state income tax." (91-0)

And as amended, do pass. (71-23)

That House Bill No. 276 do not pass. (62-29)

That House Bill No. 337 do pass. (83-4)

That House Bill No. 378 do pass. (81-2)

That House Bill No. 416 do pass. (86-4)

That the Committee rise and report.

LORY, Chairman

As a substitute motion, Lockrem moved that House Bill No. 276 be segregated from the Committee of the Whole report, and as amended, the report be adopted.

Motion failed.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 8, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 482, respectfully report as follows: That House Bill No. 482 do pass.

BRAND, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 505, respectfully report as follows: That House Bill No. 505 do pass.

BRAND, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 527, respectfully report as follows: That House Bill No. 527 do pass.

BRAND, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 564, respectfully report as follows: That House Bill No. 564 do pass.

BRAND, Chairman

Report adopted.

February 8, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 38, respectfully report as follows: That House Joint Resolution No. 38 do not pass.

BRAND, Chairman

February 8, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 79.

JOHNSTON, Vice-Chairman

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 85 passed by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Gunderson, Smith. Total 2.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Fagg, Rasmussen. Total 3.

House Bill No. 93 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth,

Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 75.

Noes: Asher, Day, Ellerd, Ellison, Gould, Gunderson, Gwynn, Jacobsen, Kropp, Marks, James Moore, Robbins, Schye, Smith, Underdal, Wood, Wyrick. Total 17.

Paired: Meloy, aye; Gwynn, no.

Excused: Casey, Fleming, Hager, Kummerfeldt, Quilici. Total 5.

Absent or not voting: J. Anderson, Fagg, Rasmussen. Total 3.

House Bill No. 100 passed by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 86.

Noes: Kvaalen, Wyrick. Total 2.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Bengtson, Ellis, Fagg, Rasmussen, Travis. Total 6.

House Bill No. 114 passed by the following vote:

Ayes: Aageson, C.R. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: Babcock, Marks, Mercer, Smith, Wyrick. Total 5.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Asher, Ellison, Fagg, Rasmussen. Total 5.

House Bill No. 228 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Fagg, Rasmussen. Total 3.

House Bill No. 229 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Fagg, Rasmussen. Total 3.

House Bill No. 258 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 77.

Noes: Ellerd, Hubing, Kropp, Kvaalen, Lockrem, Lund, Marks, Mercer, Seifert, Smith, Underdal, Wyrick. Total 12.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Dassinger, Day, Fagg, Rasmussen. Total 5.

House Bill No. 279 passed by the following vote:

Ayes: C.R. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Dussault, Ellis, Federico, Finley, Gerke, Gilligan, Gould, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Scully, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 59.

Noes: Aageson, Asher, Babcock, Bardanouve, Barrett, Brand, Day, Driscoll, Ellerd, Ellison, Fabrega, Fishbaugh, Gunderson, Hageman, Hubing, Jacobsen, Kendall, Kropp, Kvaalen, Lockrem, Marks, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 31.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Fagg, Rasmussen, Shelden. Total 4.

House Bill No. 288 passed by the following vote:

Ayes: Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Aageson, C.R. Anderson, Dassinger, Gunderson, Kanduch, Lien, Manuel, Mercer, Jack Moore, Schye, Sivertsen, Teague. Total 12.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Fagg, Rasmussen. Total 3.

House Bill No. 297 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore,

James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 83.

Noes: Asher, Ellison, Mercer, Schye, Smith, Staigmiller, Wood, Wyrick. Total 8.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Fagg, Rasmussen. Total 3.

House Bill No. 298 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: Ellison, Guthrie, Gwynn, Hubing, Mercer, Schye, Smith, Wyrick. Total 8.

Paired: Meloy, aye; Gwynn, no.

Excused: Casey, Fleming, Hager, Kummerfeldt, Quilici. Total 5.

Absent or not voting: J. Anderson, Fagg, Rasmussen. Total 3.

House Bill No. 316 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Asher, Gwynn, Harper, Johnson, Kemmis, Marks, Palmer, Richards. Total 8.

Paired: Meloy, aye; Gwynn, no.

Excused: Casey, Fleming, Hager, Kummerfeldt, Quilici. Total 5.

Absent or not voting: J. Anderson, Fagg, Rasmussen. Total 3.

House Bill No. 340 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Fabrega, Federico,

Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, C. R. Anderson, Asher, Babcock, Barrett, Ellerd, Ellis, Ellison, Gould, Guthrie, Johnston, Kendall, Kropp, Kvaalen, Lockrem, Marks, Mercer, Seifert, Sivertsen, Smith, Teague, Underdal, Wood, Wyrick. Total 24.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Fagg, Hubing, Rasmussen, Travis. Total 5.

House Bill No. 500 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Gerke, Gilligan, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: Fishbaugh, Gould, Gunderson, Guthrie, Lockrem, Smith, Stoltz, Vincent, Wood, Wyrick. Total 10.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Fagg, Rasmussen. Total 3.

House Joint Resolution No. 41 passed by the following vote:

Ayes: C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, Palmer, Richards, Robbins, Scully, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 81.

Noes: Aageson, Ellison, Gunderson, Lien, Jack Moore, Schye, Sivertsen, Smith, Wyrick. Total 9.

Excused: Casey, Fleming, Gwynn, Hager, Kummerfeldt, Quilici. Total 6.

Absent or not voting: J. Anderson, Fagg, O'Connell, Rasmussen. Total 4.

Driscoll moved that the House adjourn until 1:30 p.m., February 10, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTIETH LEGISLATIVE DAY

Helena, Montana
February 10, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except R. Baeth, Dussault and Richards, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

Without objection, the Speaker rereferred House Resolution No. 2 from the Committee on Appropriations to the Committee on Legislative Administration.

February 10, 1975

Mr. Edwin A. Smith
Chief Clerk of the House

Dear Mr. Smith:

February 12 is a legal holiday but a Legislative working day and on that day the post office will be open only from 8 a.m. to 10 a.m.

Sincerely,

Pat McKittrick
Speaker of the House

REPORTS OF STANDING COMMITTEES

February 10, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 290, 482, 505, 527, 564, 400, 233.

JOHNSTON, Vice-Chairman

February 8, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 241, 244, 303, 308, 345, 465, 489, 508, 515.

JOHNSTON, Vice-Chairman

February 10, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 390.

JOHNSTON, Vice-Chairman

February 10, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 77, 123, 124, 337, 378, 416.

JOHNSTON, Vice-Chairman

February 10, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 25.

QUILICI, Chairman

February 10, 1975

I have examined House Bill No. 25 introduced by me and find the same to be correct.

MANUEL

February 10, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration House Resolution No. 1, respectfully report as follows: That House Resolution No. 1 be amended as follows:

"Chapter 2.

2-1. Lobbying on the floor of the house of representatives is prohibited during the session and within two hours prior to the commencement of a session and within one-half hour after recess or adjournment."

DRISCOLL, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 be amended in the second reading bill as follows:

1. Amend page 1, title, lines 5 and 6.

Following: "1947,"

Strike: "to create a presumption of intoxication and"

2. Amend page 1, title, line 7.

Following: "license"

Insert: "and place this power in the discretion of the court"

3. Amend page 2, section 1, subsection (c), line 10.

Following: "given"

Strike: ", but"

Insert: "."

4. Amend page 2, section 1, subsection (c), line 12.

Strike: "upon testimony of the peace officer"

Insert: "Upon proof"

5. Amend page 2, section 1, subsection (c), line 12.

Following: "that"

Strike: "he"

Insert: "the peace officer"

6. Amend page 2, section 1, subsection (c), lines 23 through 25.

Strike: Lines 23, 24 and 25.

7. Amend page 3, section 1, subsection (d), lines 1 through 3.

Strike: "(d) In addition to the presumption created in subsection (c) above, in any criminal prosecution under this chapter"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 be amended in the introduced bill as follows:

1. Amend page 3, section 1, line 6.

Following: "change"

Insert: "increasing the rate or rates for utility service"

2. Amend page 3, section 1, line 10.

Following: "published"

Strike: "daily"

3. Amend page 3, section 1, line 22.

Following: "Act."

Insert: "The commission may temporarily approve an increase pending a hearing and final decision. If the final decision is to disapprove the increase the commission shall order a rebate to all consumers for the amount collected retroactive to the date of the temporary approval."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), line 14.

Following: "buildings"

Strike: remaining underlined material through line 19.

Insert: "with land they occupy and furnishings therein owned by a church used for religious purposes and for the usual and normal nonprofit activities directly related to such religious purposes and for residences of the priests or ministers, together with adjacent land reasonably necessary for convenient use of such buildings,"

2. Amend page 1, section 1, subsection (1), lines 22 and 23.

Following: "purposes,"

Strike: "places of actual religious worship,"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 be amended in the introduced bill as follows:

1. Amend page 1, section 2, line 25.

Following: "(1)"

Strike: "Ten"

Insert: "Five"

2. Amend page 2, section 2, line 1.

Following: "percent"

Strike: "(10%)"

Insert: "(5%)"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do not pass.

STAIGMILLER, Chairman

February 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 350, respectfully report as follows: That House Bill No. 350 do not pass.

HUENNEKENS, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 237 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: C.R. Anderson, Gould, Luebeck. Total 3.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Brand, Herlevi, Huennekens, Lynch, Manuel, Mular, Schye, Travis, Wood. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 394 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, W. Baeth, Bardanouve, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden,

Magone, Marks, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Babcock, Barrett, Huennekens, Meloy, Murphy, Shelden, Vincent. Total 7.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Bengtson, Bertelsen, Bradley, Gerke, Manuel, Mular, Robbins, Schye, Scully, Thomas, Travis. Total 11.

MESSAGES FROM THE OTHER HOUSE

February 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 39, introduced by Mular, Quilici, et al

Respectfully yours,

John N. Hanson,
Secretary of the Senate

February 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolution were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 7, introduced by Regan, Greely

Senate Bill No. 61, introduced by Fasbender, Hazelbaker, Greely, et al

Senate Bill No. 69, introduced by Galt, Goodover, Devine, et al

Senate Bill No. 102, introduced by Manley, Flynn

Senate Bill No. 173, introduced by McOmber (by request of Department of Revenue)

Senate Bill No. 174, introduced by McOmber, Nelson (by request of Department of Revenue)

Senate Bill No. 184, introduced by Goodover, E. Smith, Conover, et al (by request of Department of Highways)

Senate Bill No. 192, introduced by Norman, Himsl, Fasbender

Senate Bill No. 293, introduced by Graham, Manley, Hazelbaker, et al

Senate Joint Resolution No. 8, introduced by Jergeson, Manley, Hazelbaker, et al

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Fabrega moved that the House reconsider its action of the previous legislative day on House Bill No. 276 and refer it back to Second Reading. Fabrega asked for a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the Motion carried by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, Barrett, Bertelsen, Bradley, Dassinger, Driscoll, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Gerke, Gilligan, Gould, Guthrie, Hager, Holmes, Hubing, Johnson, Johnston, Kelly, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Marks, Mercer, Jack Moore, James Moore, Mular, O'Connell, Quilici, Schye, Shelden, Sivertsen, Sloan, Smith, Stoltz, Thomas, Tropila, Underdal, Wood, Wyrick, Yardley, Mr. Speaker. Total 51.

Noes: Ageson, Asher, W. Baeth, Bardanouve, Bengtson, Brand, Casey, Conroy, Day, Ellis, Fishbaugh, Fleming, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Huennekens, Jacobsen, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lund, Lynch, Magone, Manuel, Meloy, Menahan, Murphy, Palmer, Rasmussen, Robbins, Scully, Seifert, South, Staigmiller, Teague, Travis, Vincent, Williams, Wolfe. Total 45.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Helmbrecht. Total 1.

Murphy moved that House Bill No. 560 and House Joint Resolution No. 50 be rereferred from the Committee on Judiciary to the Committee on Public Health, Welfare and Safety.

Motion carried.

Murphy moved that House Bills Nos. 561, 562 and 563 be rereferred from the Committee on Labor and Employment Relations to the Committee on Public Health, Welfare and Safety.

Motion carried.

Murphy moved that House Bill No. 640 be rereferred from the Committee on Judiciary to the Committee on Public Health, Welfare and Safety.

Motion carried.

Scully moved that House Bill No. 603 be rereferred from the Committee on Judiciary to the Committee on State Administration.

Motion carried.

Gunderson moved that House Bill No. 501 be rereferred from Printing to the Committee on Education.

Motion carried.

Driscoll moved that House Bill No. 125 be taken from engrossing and be rereferred to the Committee on Taxation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 666, introduced by Vincent, Meloy, Huennekens, Halvorson, James Moore: A bill for an act entitled: "An act to provide for a guarantee of improvements and compensation for the cost of services created by subdivisions; requiring disapproval of any subdivisions in the absence of a demonstrated net public benefit; providing for expanded citizen legal review of subdivision decisions made by the governing body; amending Sections 11-3860 through 11-3864 and 11-3866, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 667, introduced by Kemmis, Bradley, Johnson, Driscoll, Dussault, Stoltz, Gunderson, Kimble, Palmer, Brand, Shelden, Harper: A bill for an act entitled: "An act declaring the Legislature's concern about the absence of comprehensive long term energy policies; directing the Governor to conduct various studies relating to state and federal energy policies; providing for a suspension of action on certain applications until comprehensive energy policies have been developed; and establishing terms to terminate or reinstate the suspension of action on certain applications; and providing for an immediate effective date." Referred to Committee on Natural Resources.

House Bill No. 668, introduced by Holmes: A bill for an act entitled: "An act appropriating fifty thousand dollars to the Department of Health and Environmental Sciences for the Problem Pregnancy Counselors Training Program." Referred to Committee on Appropriations.

House Bill No. 669, introduced by Holmes: A bill for an act entitled: "An act appropriating one hundred fifty thousand dollars to provide supportive services for inmates in the furlough program." Referred to Committee on Appropriations.

House Joint Resolution No. 59, introduced by Teague, Vincent, Gunderson, Halvorson, Jack Moore, Harper, O'Connell, Aageson, Lynch, Underdal, Guthrie, Scully, Lester, James Moore, Kendall, Sivertsen, Fabrega, Federico, Kimble, Travis, Murphy, Wolfe, Brand, Jacobsen, Day, Hageman, McFadden, Manuel, Helmbrecht, Luebeck, Thomas, Robbins: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to consider requesting a joint standing subcommittee to conduct a comprehensive study of the efficiency of all agencies of Montana State government for the purpose of reducing taxes levied on Montana taxpayers. Referred to Committee on Taxation.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 7, introduced by Regan, Greely: A bill for an act entitled: "An act prohibiting discrimination on the basis of race, color, religious creed, national origin, ancestry, age, sex, or marital status in credit transactions." Referred to Committee on Business and Industry.

Senate Bill No. 61, introduced by Fasbender, Hazelbaker, Greely, Warden, Towe: A bill for an act entitled: "An act adopting certain provisions of the Uniform Alcoholism and Intoxication Act, amending Sections 11-927 and 94-8-105, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 69, introduced by Galt, Goodover, Devine, Kolstad: A bill for an act entitled: "An act to amend Sections 16-2618 and 79-307, R.C.M. 1947, relating to security requirements for the deposit of public funds." Referred to Committee on Business and Industry.

Senate Bill No. 102, introduced by Manley, Flynn: A bill for an act

entitled: "An act establishing a procedure for the relocation of overhead utility lines in certain cases." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 173, introduced by McOmber (by request of Department of Revenue): A bill for an act entitled: "An act to amend Section 84-1901, R.C.M. 1947, relating to the disposition of moneys from certain license and other taxes." Referred to Committee on Taxation.

Senate Bill No. 174, introduced by McOmber, Nelson (by request of Department of Revenue): A bill for an act entitled: "An act amending Section 84-6701, R.C.M. 1947, to insert necessary language in the adoption paragraph of the multistate tax compact." Referred to Committee on Taxation.

Senate Bill No. 184, introduced by Goodover, E. Smith, Conover, Greely, Devine (by request of Department of Highways): A bill for an act entitled: "An act to amend Sections 32-2605, 32-2606, 32-2607, 32-2609, 32-2611, 32-2613, 32-2618, 32-2622 and 32-2623, R.C.M. 1947, to change the date on which state highway construction funds will be apportioned." Referred to Committee on Highways and Transportation.

Senate Bill No. 192, introduced by Norman, Himsl, Fasbender: A bill for an act entitled: "An act to be known as the 'Realty Transfer Act'; and providing penalties." Referred to Committee on Taxation.

Senate Bill No. 293, introduced by Graham, Manley, Hazelbaker, Mathers: A bill for an act entitled: "An act amending Section 87A-2-401, R.C.M. 1947, to allow a seller, when a transaction involves interstate shipment of cattle, to issue a regular title or bill of sale, or a transfer of title that is conditional until the seller has received notification from the buyers' bank that the instrument of payment has cleared the bank, such notification to be attached to the bill of sale." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Joint Resolution No. 8, introduced by Jergeson, Manley, Devine, Story, Roskie, Seibel, Rosell, Greely: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Governor to issue an executive order prohibiting state agencies and the University System from using commercial fertilizers for ornamental and decorative growing purposes. Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Kimble in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 10, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 79 be amended as follows:

1. Amend page 1, section 2, line 14.
Strike: "Ten (10)"

Insert: "Thirty (30)" (78-17)

And as amended, do pass. (53-47)

That House Bill No. 188 do pass. (79-15)

That the Committee rise and report and beg leave to sit again.

KIMBLE, Chairman

Report adopted.

SPECIAL ORDERS OF THE DAY

The Speaker appointed Representatives Driscoll, Gerke and Lockrem to escort Governor Judge and Governor Art Link of the State of North Dakota to the rostrum. Governor Judge introduced Governor Link who briefly addressed the members. The committee escorted Governor Judge and Governor Link from the chambers.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself again into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Kimble resumes the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 10, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 241 do pass. (88-0)

That House Bill No. 244 do pass. (74-20)

That House Bill No. 254 do pass. (54-43)

That House Bill No. 280 do pass. (57-42)

That House Bill No. 303 do pass. (84-0)

That House Bill No. 308 do pass. (87-5)

That House Bill No. 345 do pass. (91-0)

That House Bill No. 465 do pass. (78-10)

That House Bill No. 489 be amended as follows:

1. Amend section 1, page 1, line 13.

Following: "1975,"

Insert: "and within five (5) days after the first day of August of each year, next preceded by an official U. S. census." (74-12)

And as amended, do not pass. (72-24)

That the Committee rise and report.

KIMBLE, Chairman

Report adopted.

COMMUNICATIONS AND PETITIONS

Without objection, the Speaker rereferred Senate Bill No. 27 from the Committee on Taxation to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

February 10, 1975

The following bill will be signed on adjournment on February 10, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 25.

Edwin A. Smith, Chief Clerk
House of Representatives

February 10, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 242, 311, 317.

QUILICI, Chairman

February 10, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 do pass.

SHELDEN, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 9.

Following: "have"

Strike: "either"

2. Amend the title, page 1, lines 11 and 12.

Following: "industry"

Strike: "or until a bond is furnished to and acceptable by the administrator of the division"

Insert: "; and providing for certification of compliance to be issued by the division; and providing an immediate effective date"

3. Amend section 1, subsection (3), page 3, lines 9 through 13.

Following: "contract"

Strike: ", or shall require of the subcontractor a good and sufficient bond guaranteeing payment of all contributions, penalties and interest due or to become due with respect to wages paid for employment on the contract."

Insert: ". It shall be the duty of any subcontractor who is or becomes an employer under the provisions of this act, to furnish the contractor with a certification issued by the employment security division stating that said subcontractor is current and in full compliance with the provisions of this act."

4. Amend page 3, following line 19.

Insert: a new section 2 as follows:

"Section 2. This act is effective on its passage and approval."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 be amended in the introduced bill as follows:

1. Amend page 1, lines 24 and 25, and page 2, line 1.

Strike: section 2 in its entirety.

Insert: "Section 2. Any unemployment benefits paid to any person by application of this act shall not be charged against any employer under the unemployment compensation law."

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384 be amended in the introduced bill as follows:

1. Amend page 1, the title, line 6.

Following: "reasons"

Strike: "and hearing before the trustees"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 418, respectfully report as follows: That House Bill No. 418 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), lines 13 through 16.

Following: "(1)"

Strike: "[Nothing in this act shall be deemed to apply to the installation, alteration or repair of electrical signal or communications equipment owned or operated by a public utility or a city.]"

Insert: "Nothing in this chapter shall be deemed to apply to the installation, alteration or repair of electrical signal or communications equipment owned or operated by a public utility or a city."

2. Amend page 2, section 1, subsection (5), line 17.

Following: "[article]"

Strike: "act"

Insert: "chapter"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

KIMBLE, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 514, respectfully report as follows: That House Bill No. 514 do pass.

KIMBLE, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 423, respectfully report as follows: That House Bill No. 423 do pass.

SHELDEN, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 536, respectfully report as follows: That House Bill No. 536 do pass.

GERKE, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30 be concurred in.

GERKE, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 40, respectfully report as follows: That Senate Bill No. 40 be concurred in.

GERKE, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 be amended in the introduced bill as follows:

1. Amend title, page 1, lines 6 and 7.

Following: "districts"

Strike: "and conforming the act to other annexation laws"

Insert: "after May 2, 1977"

2. Amend page 1, section 1, subsection (2)(d), line 25 through page 2, lines 1, 2, 3, 4, 5, and 6.

Strike: subsection (d) as shown.

Insert: "(d) no part of the area shall be included within the boundary, as existing at the inception of such attempted annexation, of any fire

district organized under any of the provisions of chapter 20, Title 11, R.C.M. 1947, provided that such fire district was originally organized at least ten (10) years prior to the inception of such attempted annexation."

3. Amend page 2, section 1, subsection (2)(d), line 6.

Following: "[annexation.]"

Insert: "This provision shall terminate on May 2, 1977 and shall not apply to any annexation proceeding begun after that date."

4. Amend page 2, section 2, lines 24 and 25 through page 3, line 1.

Strike: "[Insofar as the provisions of this act are inconsistent with the provisions of any other law, the provisions of this act shall be controlling.]"

Insert: "Insofar as the provisions of this act are inconsistent with the provisions of any other law, the provisions of this act shall be controlling."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

GERKE, Chairman

Report adopted.

February 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 596, respectfully report as follows: That House Bill No. 596 do not pass.

GERKE, Chairman

February 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 547, respectfully report as follows: That House Bill No. 547 do not pass.

GERKE, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 38 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Sloan. Total 1.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Dassinger, Fabrega, Kummerfeldt, James Moore. Total 4.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 113 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Kummerfeldt. Total 1.

House Bill No. 136 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Dassinger, Kummerfeldt, Marks. Total 3.

House Bill No. 145 passed by the following vote:

Ayes: W. Baeth, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Lien, Lory, Luebeck, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Robbins, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 66.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Casey, Ellerd, Ellison, Guthrie, Hager, Hubing, Kropp, Kvaalen, Lockrem, Lund, Lynch, Mercer, Mular, Quilici, Schye, Scully, Seifert, Sivertsen, Smith, Wyrick. Total 28.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Kummerfeldt, Marks, Rasmussen. Total 3.

House Bill No. 153 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 75.

Noes: Aageson, Asher, Babcock, Bertelsen, Casey, Ellerd, Ellison, Guthrie, Gwynn, Hager, Kropp, Lien, Lockrem, Lund, Marks, Mercer, Schye, Seifert, Sivertsen, Smith, Wood, Wyrick. Total 22.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: None.

House Bill No. 160 passed by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Driscoll, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Shelden, Sloan, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Day, Ellerd, Ellis, Fabrega, Fishbaugh, Gerke, Guthrie, Hageman, Hager, Kropp, Kvaalen, Lien, Lockrem, Lund, Manuel, Marks, Mercer, Jack Moore, Seifert, Sivertsen, Smith, South, Underdal, Wood, Wyrick. Total 33.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Ellison, Schye. Total 2.

House Bill No. 161 passed by the following vote:

Ayes: C. R. Anderson, W. Baeth, Bengtson, Bradley, Brand, Conroy, Dassinger, Driscoll, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Day, Ellerd, Ellison, Fishbaugh, Guthrie, Hageman, Hager, Hubing, Jacobsen, Johnston, Kropp, Kvaalen, Lien, Lockrem, Lund, Manuel,

Marks, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 34.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Bardanouve. Total 1.

House Bill No. 172 passed by the following vote:

Ayes: C. R. Anderson, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Dassinger, Driscoll, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Robbins, Shelden, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, J. Anderson, Asher, Babcock, Bertelsen, Casey, Conroy, Day, Ellerd, Ellison, Fagg, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Johnston, Kendall, Kropp, Kvaalen, Lien, Lockrem, Lund, Manuel, Mercer, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, Underdal, Wood, Wyrick. Total 34.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Rasmussen. Total 1.

House Bill No. 261 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: None.

House Bill No. 284 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Day, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gould, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 78.

Noes: Asher, Bardanouve, Casey, Dassinger, Driscoll, Ellerd, Fagg, Gilligan, Gunderson, Guthrie, Hager, Hubing, Huennekens, Kvaalen, Lockrem, Sloan, Smith, Wyrick. Total 18.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Travis. Total 1.

House Bill No. 299 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Ellis, Kvaalen. Total 2.

House Bill No. 304 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Ellerd, Smith. Total 2.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: None.

House Bill No. 341 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Day, Driscoll, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Shelden, Sivertsen, Sloan, South,

Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 80.

Noes: Asher, Babcock, Conroy, Ellerd, Ellison, Hubing, Kanduch, Kropp, Lockrem, Marks, Mercer, Schye, Seifert, Smith, Wyrick. Total 15.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Dassinger, Wood. Total 2.

House Bill No. 430 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Barrett, Gould. Total 2.

Excused: R. Baeth, Dussault, Richards. Total 3.

Absent or not voting: Fabrega. Total 1.

Driscoll moved that the House adjourn until 1:30 p.m., February 11, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 11, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fleming and Richards, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirtieth Legislative Day, find the same to be correct.

JOHNSTON, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 11, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bills Nos. 121, 295, 359, 383, 343, 144, 423, 514, 536, 410, 309. House Joint Resolution No. 45.

QUILICI, Chairman

February 10, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 163, 230, 329.

QUILICI, Chairman

February 11, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 188, 241, 244, 254, 280, 303, 308, 345, 465.

QUILICI, Chairman

February 10, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 152.

QUILICI, Chairman

February 11, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bills Nos. 79, 305, 472.

QUILICI, Chairman

February 11, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 24, 39.

QUILICI, Chairman

February 11, 1975

I have examined House Bill No. 24 introduced by me and find the same to be correct.

MANUEL

February 11, 1975

I have examined House Bill No. 39 introduced by me and find the same to be correct.

MULAR

February 11, 1975

The following bill was signed in the office of the Speaker of the House of Representatives on February 10, 1975: House Bill No. 25.

Edwin A. Smith, Chief Clerk
House of Representatives

February 11, 1975

The following bills will be signed on adjournment on February 11, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 24, 39.

Edwin A. Smith, Chief Clerk
House of Representatives

February 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 484, respectfully report as follows: That House Bill No. 484 be amended as follows:

1. Amend title, page 1, line 6.

Strike: "car"

Insert: "vehicle"

2. Amend page 1, section 1, line 13.

Strike: "car"

Insert: "vehicle"

3. Amend page 2, section 1, subsection (e), line 8.

Strike: "car"

Insert: "vehicle"

4. Amend page 2, following line 10.

Insert: "(f) When not being operated as a flag vehicle, signs shall be removed."

And as amended, do pass.

W. BAETH, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 487, respectfully report as follows: That House Bill No. 487 do pass.

W. BAETH, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation,

having had under consideration Senate Bill No. 132, respectfully report as follows: That Senate Bill No. 132 be concurred in.

W. BAETH, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 535, respectfully report as follows: That House Bill No. 535 do pass.

GUNDERSON, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 475, respectfully report as follows: That House Bill No. 475 do pass.

GUNDERSON, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 355, respectfully report as follows: That House Bill No. 355 do pass.

GUNDERSON, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 247, respectfully report as follows: That House Bill No. 247 be amended in the introduced bill as follows:

1. Amend the title, page 1, lines 4 through 7.

Following: "to"

Strike: "abolish the exemption from postsecondary educational institution licensing requirements now provided for certain accredited institutions; conforming such"

Insert: "conform the"

2. Amend the title, page 1, line 7.

Following: "licensing"

Insert: "of proprietary postsecondary institutions"

3. Amend the title, page 1, line 8.

Following: "amending"

Strike: "sections 75-9203 and"

Insert: "section"

4. Amend the title, page 1, line 9.

Following: "1947;"

Strike: "to repeal"

Insert: "repealing"

5. Amend section 1, page 1, lines 17 through 21.

Strike: "[(1) institutions accredited by a national or regional accrediting agency recognized by either the board of public education or the board of regents of higher education and notification of such recognition having been given to the department by either board;]"

Insert: "(1) institutions accredited by a national or regional accrediting agency recognized by either the board of public education or the board of regents of higher education and notification of such recognition having been given to the department by either board;"

Renumber: subsequent subsections.

And as amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 28, respectfully report as follows: That House Joint Resolution No. 28 be amended in the introduced resolution as follows:

1. Amend the title, page 1, line 8.

Following: "program"

Insert: "; and to fully implement the mandate of the new Montana constitution (Article X, Section 2)"

2. Amend page 2, following line 7.

Insert: new subsections as follows:

"(3) That the Board of Regents support the new Indian Culture Master Plan for the education of public school teachers (HB 343, HJR 60) and provide assistance for its implementation.

(4) That the Board of Regents appoint a standing subcommittee composed of Indian educators, tribal representatives and concerned people to review financing and administration of institutional programs for Native Americans and to deal with issues affecting the concerns of Montana Indian communities.

(5) That the Board of Regents provide special services for Indian students who need such services as skill classes, cultural classes, Indian counselors, tutors, etc. Provision should be made for Indian students to have access to qualified Indian counselors (for at least four (4) years) as well as tutors (for at least two (2) years) to assist them in adapting to the foreign environment of the institution.

(6) That the Board of Regents should develop an annual report concerning Native Americans in postsecondary education to be disseminated statewide.

(7) That the Board of Regents should seek funds from the Legislature for a permanent Indian staff member in the office of the Commissioner of Higher Education for the purpose of coordinating Indian affairs and programs at postsecondary institutions.

(8) That the Board of Regents should ensure that all units of higher education make an immediate effort to employ qualified Indian faculty and noninstructional staff on all levels.

(9) That the Board of Regents begin implementation of all the recommendations of this resolution during the 1976 fiscal year."

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 501, respectfully report as follows: That House Bill No. 501 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), line 15.

Following: "Pine Hills school,"

Insert: "aftercare division"

2. Amend page 1, section 1, subsection (1), line 18.

Following: "Title 80,"

Insert: "chapter 14 and"

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Joint Resolution No. 40, respectfully report as follows: That House Joint Resolution No. 40 do not pass.

W. BAETH, Chairman

Objection raised by Gould on the adverse committee report on House Bill No. 350. Referred to Second Reading.

Objection raised by Kvaalen on the adverse committee report on House Bill No. 195. Referred to Second Reading.

MESSAGE FROM THE OTHER HOUSE

February 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 58, introduced by Graham, Himsl, Flynn

Senate Bill No. 87, introduced by Towe, Watt, Regan, et al

Senate Bill No. 127, introduced by Blaylock (by request of Department of Revenue)

Senate Bill No. 135, introduced by Roberts, Turnage

Senate Bill No. 144, introduced by Romney, Cetrone, Manley, et al

Senate Bill No. 145, introduced by Romney, Cetrone, Manley, et al

Senate Bill No. 146, introduced by Romney, Cetrone, Manley, et al

Senate Bill No. 147, introduced by Romney, Cetrone, Manley, et al

Senate Bill No. 161, introduced by Roberts, Turnage

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Holmes moved that consideration of House Bill No. 276 now on Second Reading be postponed until the Thirty-fourth Legislative Day.

Motion failed.

Brand moved to suspend the rules to allow the introduction of a House Joint Resolution concerning the transfer of the state prison.

Motion carried with a two-thirds majority.

Kemmis moved that House Bill No. 652 be rereferred from the Committee on Business and Industry to the Committee on Natural Resources.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 670, introduced by Vincent, Harper, Palmer: A bill for an act entitled: "An act providing for general political reform in matters concerning campaign expenditure limits, lobbying, conflicts of interest of elected and employed government personnel, and auditing of campaign reports and related matters; providing penalties; providing for enforcement; amending Sections 43-802, 43-803, and 43-805, R.C.M. 1947; and repealing Sections 23-4727, 23-4728, and 43-806, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 671, introduced by Dussault: A bill for an act entitled: "An act to amend Section 71-2001 and 71-2004, R.C.M. 1947, to allow the Department of Social and Rehabilitation Services to contract with certain corporations to meet its responsibilities for provision of care to developmentally disabled persons." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 672, introduced by Fagg, Fabrega, Kemmis, Dassinger, Stoltz, Holmes, Teague, Brand, Hager, Johnson, Sloan, Murphy, Williams, Huennekens, Rasmussen, Lory, Thomas, Lockrem, Mercer: A bill for an act entitled: "An act establishing a procedure for the economic development of Montana through local governmental control, based on land growth patterns established through economic value as a supplement to zoning with economic inducements and penalties; providing authorization to local governments to develop planned development procedures; and providing standards of land usage." Referred to Committee on Local Government.

House Bill No. 673, introduced by Fagg: A bill for an act entitled: "An act imposing luxury tax of three percent upon the sale of certain goods and services; providing for collection of the tax; providing penalties for evasion." Referred to Committee on Taxation.

House Bill No. 674, introduced by Fagg: A bill for an act entitled: "An act imposing a wheel tax upon certain motor vehicles; providing for distribution of the tax revenues to the counties and cities; and providing for local option exemptions from imposition of the tax." Referred to Committee on Taxation.

House Bill No. 675, introduced by Meloy, Huennekens, Driscoll, Bradley, Sheldon, Vincent, James Moore: A bill for an act entitled: "An act to establish a process for determining statewide growth policies and guidelines and to identify areas of critical state concern; providing for the promotion of coordinated statewide land and resource conservation and development; and appropriating money for the purposes of this act." Referred to Committee on Business and Industry.

House Bill No. 676, introduced by James Moore, Harper, Scully: A bill for an act entitled: "An act amending Section 92-703.1, R.C.M. 1947, relating to payments for partial disability by making the test for partial disability payments actual impairment of earning capacity." Referred to Committee on Judiciary.

House Resolution No. 3, introduced by Menahan, Kanduch: A Resolution of the House of Representatives of the State of Montana in memory of Wayne Estes. Referred to Committee on Legislative Administration.

House Joint Resolution No. 60, introduced by Bardanoue: A Joint Resolution of the Senate and the House of Representatives of the State of Montana in opposition to inaugural balls. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

Senate Bill No. 58, introduced by Graham, Himsl, Flynn, Thiessen: A bill for an act entitled: "An act amending Section 92-1105, R.C.M. 1947, to require compensation plan No. 3 to actuarially determine rates for each type of employment and to retain actuarially sound reserves and to utilize an experience rating system for employers enrolled under it." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 87, introduced by Towe, Watt, Regan, Norman, Seibel, Romney, Colberg: A bill for an act entitled: "An act creating a fund for assisting local governments socially impacted by coal development and for the support of public schools throughout the state; allocating certain revenue from coal taxes to the fund; establishing a board to make grants from the fund to local governments; amending Sections 75-6916 and 84-1309.1, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 127, introduced by Blaylock (by request of Department of Revenue): A bill for an act entitled: "An act to amend Sections 84-2202, 84-2203, and 84-2209, R.C.M. 1947, relating to the oil producers' license tax; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 135, introduced by Roberts, Turnage: A bill for an act entitled: "An act to amend Section 82-4204, R.C.M. 1947, to provide for publication and mailing of notice of proposed rules at least forty days prior to the agency's intended action." Referred to Committee on State Administration.

Senate Bill No. 144, introduced by Romney, Cetrone, Manley, Jergeson, Conover: A bill for an act entitled: "An act to amend Sections 84-1302, 84-1303, 84-1306 and 84-1308, R.C.M. 1947, relating to the strip coal mines license tax; repealing Section 84-1309; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 145, introduced by Romney, Cetrone, Manley, Jergeson, Conover: A bill for an act entitled: "An act to amend Sections 84-1402, 84-1404, 84-1405, 84-1406, 84-1408, and 84-1417 pertaining to the coal retailers' license tax; to repeal Sections 84-1409, 84-1412 and 84-1414." Referred to Committee on Taxation.

Senate Bill No. 146, introduced by Romney, Cetrone, Manley, Jergeson, Conover: A bill for an act entitled: "An act to amend Sections 84-2002, 84-2004, 84-2005, 84-2006, 84-2007, 84-2008, 84-2009, 84-2010, 84-2011, and 84-2013, R.C.M. 1947, relating to the metalliferous mines license tax; repealing Section 84-2012, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 147, introduced by Romney, Cetrone, Manley, Jergeson, Conover: A bill for an act entitled: "An act to amend Sections 84-1102, 84-1104, 84-1106, and 84-1108, R.C.M. 1947, relating to the cement dealers' license tax; to repeal Sections 84-1109 and 84-1111, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 161, introduced by Roberts, Turnage: A bill for an act entitled: "An act amending Section 93-1402, R.C.M. 1947, to provide that persons qualified to serve as trial jurors be selected from the lists of registered voters." Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 77 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Harper, Staigmiller. Total 2.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Ellerd, Lien. Total 2.

House Bill No. 123 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Mr. Speaker. Total 94.

Noes: None.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Ellerd, Lien, Williams, Yardley. Total 4.

House Bill No. 124 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Ellerd, Lien, Magone. Total 3.

House Bill No. 152 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gould, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Sloan, Smith, South, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Babcock, Bardanouve, Barrett, Bradley, Brand, Day, Dussault, Ellis, Gilligan, Gunderson, Hageman, Harper, Kemmis, Marks, James Moore, Scully, Shelden, Staigmiller, Stoltz, Vincent. Total 20.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Lien. Total 1.

House Bill No. 225 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 73.

Noes: Babcock, Brand, Day, Driscoll, Fabrega, Guthrie, Helmbrecht, Hubing, Jacobsen, Kendall, Kvaalen, Lockrem, Jack Moore, Robbins, Scully, Seifert, Shelden, Smith, Underdal, Wyrick. Total 20.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Johnston, Kropp, Lien, James Moore, Travis. Total 5.

House Bill No. 337 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 89.

Noes: Asher, Casey, Ellison, Guthrie, Holmes, Kendall, Wyrick. Total 7.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Fishbaugh, Lien. Total 2.

House Bill No. 365 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Gunderson. Total 1.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Lien. Total 1.

House Bill No. 378 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz,

Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 93.

Noes: Guthrie, Lockrem, Robbins, Wyrick. Total 4.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Lien. Total 1.

House Bill No. 390 failed to pass by the following vote:

Ayes: Bardanouve, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Gilligan, Gunderson, Guthrie, Harper, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Luebeck, Lynch, Meloy, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Scully, Sloan, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley. Total 43.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Gerke, Gould, Gwynn, Hageman, Hager, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kendall, Kropp, Kvaalen, Lockrem, Lory, Lund, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, South, Staigmiller, Underdal, Wood, Wyrick, Mr. Speaker. Total 52.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Halvorson, Lien, Shelden. Total 3.

House Bill No. 416 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Barrett, Jacobsen. Total 2.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Fagg, Lien. Total 2.

House Joint Resolution No. 26 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Robbins, Shelden,

Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Babcock, Barrett, Bertelsen, Gerke, Kendall, Kropp, Lockrem, Mercer, Rasmussen, Schye, Scully, Seifert, Smith. Total 13.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Lien. Total 1.

SPECIAL ORDERS OF THE DAY

The Speaker appointed a committee of Representatives Hageman, O'Connell and Schye to escort Congressman John Melcher from Montana's Second District to the rostrum. Congressman Melcher addressed the members. The committee escorted him from the chambers.

The House resumed. Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Jack Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 11, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 508 do pass. (88-0)

That House Bill No. 515 be amended as follows:

1. Amend page 2, following line 9.

Insert: a new section as follows:

"Section 2. The county welfare department may purchase information and referral services in lieu of establishing an office within the welfare department." (53-34)

And as amended, do not pass. (63-31)

That House Bill No. 276 be amended as follows:

1. Amend page 2, section 1, line 25.

Strike: "five thousand"

Insert: "fifty thousand"

2. Amend page 3, section 1, line 1.

Strike: "(5,000)"

Insert: "(50,000)"

3. Amend title, page 1, line 7.

Strike: "five thousand"

Insert: "fifty thousand (50,000)" (62-31)

And as amended, do not pass. (59-36)

That House Bill No. 120 be passed for the day.

That House Bill No. 163 do pass. (77-0)

That House Bill No. 230 do pass. (83-1)

That House Bill No. 233 do pass. (87-0)

That House Bill No. 242 do pass. (84-5)

That House Bill No. 290 do pass. (88-1)

That House Bill No. 311 do pass. (64-29)

That House Bill No. 317 be passed for the day.

That House Bill No. 329 be passed for the day.

That House Bill No. 400 be amended as follows:

1. Amend page 3, section 1, subsection (4) (c), line 8.

Following: "marshal"

Strike: "may"

Insert: "or his representative shall"

2. Amend page 3, section 1, subsection (4) (c), line 8.

Following: "charge a"

Strike: "reasonable"

3. Amend page 3, section 1, subsection (4) (c), line 9.

Following: "fee,"

Strike: "not to exceed thirty-five dollars (\$35)"

Insert: "of twenty-five dollars (\$25)"

4. Amend page 3, section 1, subsection (4), following line 11.

Insert: a new subsection as follows:

"(d) All fees collected under this act go to the Montana Fire service academy located at the Great Falls vocational technical center and the money shall be used for the purchase of training aids." (81-5)

And as amended, do pass. (78-12)

That House Bill No. 482 do pass. (82-6)

That House Bills Nos. 505 and 564 be passed for the day.

That House Bill No. 527 do pass. (77-10)

That Senate Bill No. 30 be concurred in. (69-16)

That Senate Bill No. 40 be passed for the day.

That the amendment to House Resolution No. 1 be adopted. (58-31)

That the Committee rise and report.

JACK MOORE, Chairman

Huennekens moved that Senate Bill No. 30 be segregated from the Committee of the Whole report and as amended the report be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 11, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 134, 195, 220, 350, 355, 384, 418, 475, 487, 535.

QUILICI, Chairman

February 11, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on February 11, 1975: House Bills Nos. 24, 39.

Edwin A. Smith, Chief Clerk
House of Representatives

February 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 464, respectfully report as follows: That House Bill No. 464 do pass.

W. BAETH, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 81, respectfully report as follows: That House Bill No. 81 be amended in the introduced bill as follows:

1. Amend page 1, title, line 6.

Following: "public;"

Strike: "and"

2. Amend page 1, title, line 7.

Following: "records;"

Insert: "and provide for reasonable public hearings;"

3. Amend page 1, section 1, line 17.

Following: "permits"

Insert: "and small miner exclusions"

4. Amend page 1, section 1, lines 20 through 25 and continuing on page 2, lines 1 through 4.

Following: "disclosure."

Strike: "Any information obtained by the board or by the director of his staff by virtue of applications for licenses or permits is, however, properly admissible in any hearing conducted by the director, the board, appeals board or in any judicial proceeding to which the director and the applicant are parties. Any and all information obtained by the board or department by virtue of applications for operating permits under this chapter are public records and may be utilized by the department and board in preparing environmental impact statements under section 69-6504."

Insert: "In order to protect an applicant from being subject to unfair competition, and in order to protect the public interest, all other information obtained by the board, the director or his staff, by virtue of applications for licenses or permits, shall be confidential. However, when an applicant has satisfied all requirements for the issuance of an operating permit, the director shall issue the permit which shall be effective ninety (90) days after its issuance. At the time of issuing the permit, all reclamation information concerning the permit is no longer confidential, and the director shall give reasonable public notice that any interested person is entitled to request a hearing before the department within the ninety (90) day period. On request, the director shall hold a public hearing within thirty (30) days after the request to be held in the locality where the operations take place. The director shall within thirty (30) days after

the time of the hearing either issue the operating permit, deny the permit, or modify the same."

5. Amend page 2, section 1, line 6.

Following: "to"

Strike: "ten"

Insert: "one"

6. Amend page 2, section 1, line 7.

Following: "dollars"

Strike: "(\$10,000)"

Insert: "(\$1,000)"

7. Amend page 2, following line 7.

Insert: a new section 2 to read as follows:

"Section 2. Information obtained by the department prior to the date this act becomes effective, shall remain confidential except as provided in section 1 of this act."

And as amended, do pass.

BRAND, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 do pass.

MENAHAN, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 be amended in the introduced bill as follows:

1. Amend page 2, section 1, lines 8 and 9.

Following: "[specified.]"

Strike: "No narcotic prescription may be refilled."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

MENAHAN, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (c), line 6.

Following: "the"

Strike: "governor"

Insert: "speaker of the house"

2. Amend page 2, section 1, subsection (c), line 6.

Following: "of the"

Insert: "president of the"

And as amended, do pass.

BRAND, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 485, respectfully report as follows: That House Bill No. 485 do pass.

BRAND, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 491, respectfully report as follows: That House Bill No. 491 be amended in the introduced copy as follows:

1. Amend page 2, section 1, following line 18.

Insert: a new section 2.

"Section 2. This act shall apply to applications pending and not yet acted upon before the effective date."

Renumber: subsequent section.

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 530, respectfully report as follows: That House Bill No. 530 do pass.

BRAND, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 532, respectfully report as follows: That House Bill No. 532 do pass.

BRAND, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do not pass.

BRAND, Chairman

February 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 do not pass.

BRAND, Chairman

February 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 512, respectfully report as follows: That House Bill No. 512 do not pass.

BRAND, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 547 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Robbins, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 80.

Noes: Fabrega. Total 1.

Excused: Fleming, Richards. Total 2.

Absent or not voting: C.R. Anderson, Bradley, Driscoll, Gilligan, Halvorson, Huennekens, Johnson, Kropp, Lien, Lynch, James Moore, Rasmussen, Schye, Scully, Sloan, Travis, Wolfe. Total 17.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 596 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, O'Connell, Palmer, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Harper, Kelly, Mular, Murphy, Quilici, Teague, Tropila. Total 7.

Excused: Fleming, Richards. Total 2.

Absent or not voting: Babcock, Driscoll, Fabrega, Gould, Helmbrecht, Huennekens, Lien, Lynch, James Moore, Rasmussen, Schye, Scully, Seifert, Travis. Total 14.

MOTIONS

Meloy moved that House Bill No. 317 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Gerke moved that Senate Bill No. 30 be taken from Second Reading and be rereferred to the Committee on Local Government.

Motion carried.

Harper moved that House Bill No. 120 be taken from Second Reading and be rereferred to the Committee on Judiciary.

Fagg made a substitute motion to take House Bill No. 120 from Second Reading and rerefer it to the Committee on Rules.

Motion carried.

Aageson moved that House Bill No. 583 be rereferred from the Committee on Labor and Employment Relations to the Committee on Local Government.

Motion carried.

Meloy moved that House Bill No. 81 be taken from Printing and be rereferred to the Committee on Natural Resources.

Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., February 12, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 12, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 12, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 133, 175, 247, 268, 464, 484, 485, 530, 532.

QUILICI, Chairman

February 12, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 163, 233, 242, 290, 311, 482, 508, 527.

QUILICI, Chairman

February 11, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 501.

QUILICI, Chairman

February 12, 1975

The following bill and resolution will be signed on adjournment on February 12, 1975, in the office of the Speaker of the House of Representatives: Senate Bill No. 59, Senate Joint Resolution No. 5.

Edwin A. Smith, Chief Clerk
House of Representatives

February 12, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 661, respectfully report as follows: That House Bill No. 661 do pass.

STAIGMILLER, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 be amended in the second reading bill as follows:

1. Amend page 1, section 1, subsection (2), line 25 and page 2, line 1.
Following: "traffic"
Strike: ", including impoundment of the livestock"
2. Amend page 2, section 1, subsection (3), line 8.
Following: "notice"
Insert: "(warning)"
3. Amend page 2, section 1, subsection (4), lines 15 through 17.
Strike: "A sheriff or other peace officer who impounds livestock in accordance with this act shall notify the rightful owner of that impounded livestock."
4. Amend page 3, section 2, line 2.
Following: "stock"
Insert: "creating a traffic hazard"
5. Amend page 3, section 2, following line 13.
Insert: "Section 3. County commissioners to implement act. (1) Before this act is effective in any county the board of county commissioners shall pass a resolution declaring that the act shall become effective thirty (30) days after passage of the resolution. The resolution may provide that the act is effective throughout the county or only in specified areas of the county.
(2) The resolution shall describe the affected areas and a copy of the resolution shall be:
(a) published in a newspaper of general circulation in the county once a week for three (3) successive weeks prior to the effective date;
(b) sent to the county sheriff, the city police departments, the highway patrol and any other peace officers having jurisdiction within the county;
(c) filed with the secretary of state."
Renumber: subsequent sections.
6. Amend page 3, section 3, line 14.
Following: "procedure."
Strike: "(1)"
7. Amend page 3, section 3, lines 23 through 25 and page 4, lines 1 and 2.
Strike: subsection (2) in its entirety.
8. Amend page 4, section 6, following line 20.
Insert: "Section 7. This act does not apply to portions of county roads, which do not run on subdivision or section lines and the right of way for which was obtained by voluntary grant of easement by the owner of the land (or his predecessor in title) through which the portion of the road runs."
And as amended, do pass.

Report adopted.

HUENNEKENS, Chairman

February 11, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 do pass.

Report adopted.

HUENNEKENS, Chairman

February 11, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 287, respectfully report as follows: That House Bill No. 287 do pass.

HUENNEKENS, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 15.

Following: "(\$12,500)"

Insert: "said salary to be set by the judge in the district in which the reporter works,"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 11, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 do not pass.

HUENNEKENS, Chairman

Objection raised by Fagg on the adverse committee report on House Bill No. 512. Referred to Second Reading.

MESSAGES FROM THE GOVERNOR

February 11, 1975

The Honorable Pat McKittrick
Speaker of the House
44th Legislative Assembly
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills No. 2, 25, 30, 141 and 520.

Sincerely,

THOMAS L. JUDGE
Governor

February 11, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bill No. 16.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

February 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 4, introduced by Rosell, Turnage, Regan

Senate Bill No. 51, introduced by Norman, Brown (by request of Health and Environmental Sciences)

Senate Bill No. 52, introduced by Thiessen, Kolstad, Turnage, et al

Senate Bill No. 113, introduced by Graham, Seibel, Devine, et al

Senate Bill No. 207, introduced by Himsl, Drake, Turnage

Senate Bill No. 269, introduced by Conover, E. Smith, Etchart, et al

Senate Bill No. 294, introduced by Regan, Rosell, Blaylock, et al

Senate Bill No. 317, introduced by Seibel, Jergeson (by request of Superintendent of Public Instruction)

Respectfully yours,

John N. Hanson,
Secretary of the Senate

February 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to Senate Bill No. 22 were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 99, introduced by Bardanouve.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, titles and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 31, introduced by Meloy

House Bill No. 38, introduced by McKittrick, Driscoll, et al

House Bill No. 142, introduced by Lynch and Bardanouve.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Fagg moved that House Bill No. 359, now on Second Reading, be passed for the day.

Motion carried.

W. Baeth moved that House Bill No. 464 be rereferred from Printing to the Committee on Highways.

Motion carried.

South moved that House Bill No. 536 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Luebeck moved that House Bill No. 79 be taken from Third Reading and be placed on Second Reading.

Motion carried.

Richards moved that House Bills Nos. 505 and 564 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 677, introduced by Fabrega, Jack Moore, Kelly, Johnston, Mular, McFadden, J. Anderson, Huennekens, Casey, Federico, Murphy: A bill for an act entitled: "An act concerning the establishment and operation of a state lottery; creating the Bureau of the State Lottery in the Department of Revenue; prescribing its functions, powers, and duties and appropriating two hundred fifty thousand dollars." Referred to the Select Committee on Gambling.

House Bill No. 678, introduced by Aageson, Gunderson: A bill for an act entitled: "An act to generally revise and update commercial fertilizer laws, modifying and adding definitions, changing licensing requirements, raising fertilizer inspection fees, establishing inspection fees for soil

amendments, altering the tonnage reporting system, establishing an effective date; amending Sections 3-1714.1, 3-1718, 3-1722, 3-1724, 3-1727, and 3-1728, R.C.M. 1947, and repealing Sections 3-1714, 3-1715, 3-1716, 3-1717, 3-1720, 3-1721, 3-1723, 3-1725, and 3-1726, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 679, introduced by McKittrick, Driscoll, Lynch, Bengtson, Conroy, Johnson, Menahan, Halvorson, Brand, Mular, McFadden, Quilici, James Moore, Finley, Kelly, Dussault, Federico, Sivertsen, Lester, Underdal, Sloan, Seifert, Hageman, Marks, Lund, Helmbrecht, Ageson, Huennekens, Johnston, Kemmis, Gilligan, Kimble, Williams, Lockrem, Fabrega, Kendall, R. Baeth, Magone, Herlevi, Kanduch: A bill for an act entitled: "An act appropriating monies to the Department of Institutions for employee salary increases for the fiscal year ending June 30, 1975, and providing an effective date." Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time, and referred to committees:

Senate Bill No. 4, introduced by Rosell, Turnage, Regan: A bill for an act entitled: "An act to change the laws relating to husbands and wives in regard to their mutual obligations of support, control of their individual property and their ability to act as individuals, in order to eliminate sexual discrimination in such laws; amending Sections 5-106, 16-2902, 16-2905, 36-103, 36-110 through 36-120, 36-127 through 36-130, 61-104, and 61-117, R.C.M. 1947; creating a new Section 36-118.1, R.C.M. 1947; and repealing Sections 36-102 and 36-121, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 51, introduced by Norman, Brown (by request of Department of Health and Environmental Sciences): A bill for an act entitled: "An act providing for filing fees to accompany requests for variances; amending Section 69-3916, R.C.M. 1947." Referred to Committee on Natural Resources.

Senate Bill No. 52, introduced by Thiessen, Kolstad, Turnage, Stephens, Aber, Galt, Nelson: A bill for an act entitled: "An act to change the age requirement for the consumption of alcoholic beverage to nineteen (19) years of age; amending Sections 4-161, 4-330, 4-337, 4-413, 4-439, 4-502, 4-504, 4-506, 11-1602, 41-1135, 41-1136, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 113, introduced by Graham, Devine, Seibel, Boylan, Conover, Blaylock, Mathers, McCallum, Aber, Kolstad, McOmber, Norman, Lynch, R. Smith, Goodover: A bill for an act entitled: "An act to establish anniversary date registration for motor vehicles; providing for the payment of taxes and fees thereon; providing for a lien date; providing for the administration of the act; and amending Sections 53-108, 53-114, 53-115, and 84-406, R.C.M. 1947; and providing an effective date." Referred to Committee on Highways and Transportation.

Senate Bill No. 207, introduced by Himsl, Drake, Turnage, Greely, Hazelbaker: A bill for an act entitled: "An act amending Section 43-202, R.C.M. 1947, to provide that a legislator's term runs until his successor is elected and qualified." Referred to Committee on Legislative Administration.

Senate Bill No. 269, introduced by Conover, E. Smith, Etchart, McCallum: A bill for an act entitled: "An act amending Section 89-1301, R.C.M. 1947, to increase the amount that may be spent for the purchase

of equipment relating to irrigation districts from twenty-five thousand dollars (\$25,000) to seventy-five thousand dollars (\$75,000)." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 294, introduced by Regan, Rosell, Blaylock, Roberts, Seibel, Warden: A bill for an act entitled: "An act redefining the offense of prostitution to include both the payer and the recipient of payment; amending Section 94-5-602, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 317, introduced by Seibel, Jergeson (by request of Superintendent of Public Instruction): A bill for an act entitled: "An act amending Section 75-7803, R.C.M. 1947, to provide for the establishment and financing of regional special education services." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 12, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 329 do pass. (76-19)

Quilici in the Chair.

That House Bill No. 64 be passed for the day.

Lynch resumes the Chair.

That House Bill No. 82 be amended as follows:

1. Amend page 2, section 1, line 7.

Following: "domain"

Strike: "where such power is granted by law"

Insert: "for public uses as defined by 93-9902" (91-5)

And be further amended:

2. Amend page 8, section 2, line 3.

Following: "cooperative,"

Insert: "railroad,"

3. Amend page 8, section 2, line 3.

Following: "corporation"

Strike: "whose rates are" (82-6)

And be further amended:

4. Amend page 9, section 4, line 20.

Strike: "agricultural, wood products"

5. Amend page 9, section 4, line 22.

Strike: "rate" (90-0)

And as amended, do pass. (55-45)

That House Bill No. 121 be passed for the day.

That House Bill No. 134 do pass. (46-35)

That House Bill No. 144 do pass. (85-8)

That House Bill No. 195 be amended as follows:

1. Amend section 1, subsection (2), page 2, line 2.

Following: "any"

Insert: "wild" (81-4)

And as amended, do pass. (68-19)

That House Bill No. 220 be passed to the bottom of the board.

That House Bill No. 295 be passed for the day.

That House Bill No. 309 do pass. (84-2)

That House Bill No. 343 do pass. (89-0)

That House Bill No. 350 do not pass. (70-21)

That House Bill No. 355 do pass. (86-0)

That House Bill No. 383 be amended as follows:

1. Amend section 1, page 3, line 8.

Following: "affecting"

Strike: "residential" (70-0)

And be further amended:

2. Amend section 1, page 3, lines 8 and 9.

Following: "consumers"

Strike: "in an area,"

Insert: "in a utility's service area" (77-0)

And as amended, do pass. (78-9)

That House Bill No. 384 do pass. (73-16)

Quilici in the Chair.

That House Bill No. 410 do not pass. (81-15)

Lynch resumes the Chair.

That House Bill No. 418 do pass. (83-4)

That House Bill No. 423 do pass. (79-13)

That House Bill No. 475 do pass. (64-26)

That House Bill No. 487 do pass. (89-2)

That House Bill No. 501 do pass. (96-0)

That House Bill No. 514 do pass. (69-21)

That House Bill No. 535 do pass. (90-0)

That House Joint Resolution No. 45 do pass. (89-0)

That Senate Bill No. 40 be concurred in. (89-5)

That Senate Bill No. 132 be concurred in. (94-3)

That House Bill No. 79 be amended as follows:

1. Amend section 1, page 1, line 10.

Following: "of"

Strike: "all" (91-1)

And be further amended:

2. Amend section 1, page 1, line 14.

Strike: "thirty (30)"

Insert: "two hundred (200)" (84-12)

And as amended, do pass. (51-48)

That House Bill No. 220 be amended as follows:

1. Amend page 2, lines 2 through 5.

Strike: section 2 in its entirety (88-7)

And as amended, do pass. (72-27)

That the Committee rise and report.

LYNCH, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 12, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bills Nos. 287, 307, 326, 401, 512, 661. House Joint Resolution No. 28.

QUILICI, Chairman

February 12, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 400.

QUILICI, Chairman

February 12, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 230.

QUILICI, Chairman

February 12, 1975

The following bill and resolution were signed in the office of the Speaker of the House of Representatives on February 12, 1975: Senate Bill No. 59, Senate Joint Resolution No. 5.

Edwin A. Smith, Chief Clerk
House of Representatives

February 12, 1975

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be employed by the House of Representatives for the 44th session at the beginning of business January 27, 1975:

Patti Ann GomexPage

At the beginning of business February 5, 1975, the following also be employed:

Craig Hafer	Page
Jan Frankino	Page

At the beginning of business February 7, 1975, the following also be employed:

Stacie Foster	Page
Cheryl Renders	Page

At the beginning of business February 10, 1975, the following also be employed:

Elizabeth A. Preston	Page
Brent C. Anderson	Page
Debbie L. Dayton	Page
Roxie J. Dufour	Page
McClure Reagan	Page
Teresa Ann Wallace	Page

At the beginning of business February 12, 1975, the following also be employed:

Laura L. Sullivan	Page
Kariena Brosten	Page

Do pass.

LYNCH, Chairman

Report adopted.

February 12, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Joint Resolution No. 36, respectfully report as follows: That House Joint Resolution No. 36 do pass.

KIMBLE, Chairman

Report adopted.

February 12, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 635, respectfully report as follows: That House Bill No. 635 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), line 18.

Following: "sought."

Insert: "The general statement of grounds is solely for the information of the voters. No insufficiency in the general statement shall affect the sufficiency of the petition, but the grounds shall refer to the official conduct of the officer whose recall is sought."

2. Amend page 3, section 1, subsection (3), line 2.

Following: "elections."

Insert: "The following shall appear on recall ballots for each recall petitioned:

Shall (name of person whose recall is being voted on) be recalled from the office of (title of office)?

/ ☐ YES

/ ☐ NO

(Mark an "X" before the word "YES" if you wish the officer to be recalled from office. Mark an "X" before the word "NO" if you do not wish the officer to be recalled from office.)"

3. Amend page 3, following line 2.

Insert: a new subsection (4) as follows and renumber the subsequent subsection.

"(4) If one half or more of the votes cast on a recall proposal are "NO", the incumbent shall continue in office. If a majority of the votes cast on a recall proposal are "YES", the incumbent shall immediately be removed from office."

4. Amend page 3, section 1, subsection (4), line 4.

Following: "16-2412"

Insert: ", or in the case of county commissioners section 16-903 shall apply"

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 12, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 574, respectfully report as follows: That House Bill No. 574 be amended in the introduced bill as follows:

1. Amend the title, page 1, lines 5 through 8.

Strike: "changing the name of the wheat research and marketing committee and account to the grain research and marketing committee and account to reflect the addition of barley research and marketing;"

2. Amend page 2, section 2 (1), line 12.

Strike: "grain"

Reinsert: "wheat"

3. Amend page 3, section 3, line 16.

Strike: "grain"

Reinsert: "wheat"

4. Amend page 8, section 7 (1), line 6.

Strike: "grain"

Reinsert: "wheat"

5. Amend page 8, section 8, line 19.

Strike: "grain"

Reinsert: "wheat"

6. Amend page 8, section 8, line 21.

Strike: "grain"

Reinsert: "wheat"

And as amended, do pass.

FLEMING, Chairman

Report adopted.

February 12, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Joint Resolution No. 32, respectfully report as follows: That House Joint Resolution No. 32 do pass.

FLEMING, Chairman

Report adopted.

February 12, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 85, respectfully report as follows: That Senate Bill No. 85 be concurred in.

GERKE, Chairman

Report adopted.

February 12, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 do pass.

FLEMING, Chairman

Report adopted.

February 12, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 68, respectfully report as follows: That Senate Bill No. 68 be concurred in.

GERKE, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 40 was adopted by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 93.

Noes: Kelly, Kendall, Mular. Total 3.

Excused: None.

Absent or not voting: Holmes, Lynch, Palmer, Wyrick. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 227 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall,

Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Aageson, Barrett, Kvaalen, Seifert. Total 4.

Excused: None.

Absent or not voting: Ellis, Halvorson, Huennekens, Lockrem, Lynch, O'Connell, Palmer, Wood. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 222 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Holmes, Kelly, Lory, Robbins, Teague, Tropila. Total 6.

Excused: None.

Absent or not voting: R. Baeth, Lynch, Palmer. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 323 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: Babcock, Barrett, Bertelsen, Brand, Ellison, Lockrem, Mercer, Jack Moore, Seifert. Total 9.

Excused: None.

Absent or not voting: Kropp, Lynch, Palmer, Travis. Total 4.

MESSAGE FROM THE OTHER HOUSE

February 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bill and House Joint Resolutions were this day read three several times, and concurred in, titles and history agreed to, and the said bill and resolutions are herewith returned to the House:

House Bill No. 147, introduced by Wm. Baeth, McKittrick, et al

House Joint Resolution No. 6, introduced by Holmes, Stoltz, et al

House Joint Resolution No. 22, introduced by Lien, Smith, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Fagg moved that House Bill No. 672 be rereferred from the Committee on Local Government to the Committee on Taxation.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 188 passed by the following vote:

Ayes: Ageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: Barrett, Harper, Hubing, Johnson, Kemmis, Kimble, Kvaalen, Mercer, Mular, Scully, Staigmiller, Wyrick. Total 12.

Excused: None.

Absent or not voting: Ellison, Fleming, Huennekens, Schye. Total 4.

House Bill No. 241 passed by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: None.

Absent or not voting: Travis. Total 1.

House Bill No. 244 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 76.

Noes: C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Ellison, Fabrega, Gould, Guthrie, Hager, Kendall, Kropp, Kvaalen, Lockrem, Lund, Mercer, Jack Moore, Rasmussen, Seifert, Smith, Wood, Wyrick. Total 22.

Excused: None.

Absent or not voting: Huennekens, Magone. Total 2.

House Bill No. 254 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, Bengtson, Bradley, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Halvorson, Harper, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, Meloy, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Wolfe. Total 51.

Noes: Aageson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Casey, Conroy, Day, Ellerd, Ellison, Fabrega, Fishbaugh, Gwynn, Hageman, Hager, Helmbrecht, Hubing, Jacobsen, Johnson, Kanduch, Kendall, Kropp, Kvaalen, Lien, Lockrem, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Robbins, Schye, Scully, Seifert, Sivertsen, Smith, Thomas, Underdal, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 48.

Excused: None.

Absent or not voting: Bardanouve. Total 1.

House Bill No. 280 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 58.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett,

Bengtson, Bertelsen, Casey, Conroy, Ellerd, Ellis, Ellison, Fabrega, Guthrie, Hager, Hubing, Johnston, Kelly, Kropp, Kvaalen, Lien, Lockrem, Lory, Lund, Manuel, Marks, Mercer, Jack Moore, Schye, Scully, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick, Yardley. Total 38.

Excused: None.

Absent or not voting: Bardanouve, Fagg, Kanduch, Mular. Total 4.

House Bill No. 303 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: None.

Absent or not voting: Guthrie, Luebeck, Wood. Total 3.

House Bill No. 305 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Casey, Lockrem, Seifert, Smith. Total 4.

Excused: None.

Absent or not voting: Guthrie. Total 1.

House Bill No. 308 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Brand, Casey, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fagg, Finley, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell,

Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 78.

Noes: Asher, Bardanouve, Bertelsen, Bradley, Conroy, Driscoll, Fabrega, Federico, Fishbaugh, Gould, Johnston, Kropp, Marks, Jack Moore, Schye, Seifert, Sivertsen, Smith, Travis, Underdal, Vincent. Total 21.

Excused: None.

Absent or not voting: Palmer. Total 1.

House Bill No. 345 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: Lynch. Total 1.

Excused: None.

Absent or not voting: None.

House Bill No. 465 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 78.

Noes: Aageson, Casey, Day, Ellerd, Fishbaugh, Fleming, Gould, Hageman, Harper, Holmes, Kvaalen, Lien, Lockrem, Lynch, Marks, Quilici, Richards, Robbins, Sivertsen, Smith, Wyrick, Yardley. Total 22.

Excused: None.

Absent or not voting: None.

House Bill No. 472 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson,

Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmler, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Aageson, Johnston, Kvaalen, Lockrem, Marks, Mercer, Sivertsen, Underdal, Wood. Total 9.

Excused: None.

Absent or not voting: Lund. Total 1.

Driscoll moved that the House adjourn until 1:30 p.m., February 13, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 13, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church.

Pledge of Allegiance to the Flag.

Roll call. All members present except Richards, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-second Legislative Day, find the same to be correct.

JOHNSTON, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 13, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution considered correctly engrossed: House Bills Nos. 134, 144, 329, 343, 355, 384, 418, 423, 475, 487, 501, 514, 535. House Joint Resolution No. 45.

JOHNSTON, Vice-Chairman

February 13, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly printed: House Bills Nos. 336, 354, 491. House Joint Resolutions Nos. 32, 36.

JOHNSTON, Vice-Chairman

February 12, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 be amended in the introduced bill as follows:

1. Amend page 1, section 3, subsection (2), line 25.

Following: "1947"

Insert: ", except telephone and telegraph service"

2. Amend page 3, section 7, line 11.

Following: "serve"

Insert: "If, after the formation of a local government public utility, the remaining properties of a preexisting electric supplier do not have a density of over three (3) consumers per mile of line and an annual revenue of at least five hundred dollars (\$500) per mile of line, then the entire system shall be incorporated in the new public utility system or be totally exempt therefrom.

Section 8. Preexisting generation systems. Whenever a unit of local government undertakes pursuant to this act to provide for the generation of electricity through acquisition of an existing generating facility, it shall serve or contract for the continued service to all areas outside its jurisdictional area which are within the area served by the

generating facility. The cost of service to such other areas served, as allowed by the public service commission, may not exceed the costs properly chargeable to such other areas under a unified distribution system."

Renumber: subsequent sections.

3. Amend page 3, following line 25.

Insert: "Section 10. Prior to any undertaking under this act, a unit of local government must consider all possible alternative forms of energy production. Establishment of conventional energy production facilities are permitted only if an alternative form is either unavailable or not feasible within the funding capabilities of the unit.

Section 11. Before exercising authority under sections 4 and 5 of this act, a unit of local government must submit to its qualified electors the question of whether to build, own, operate, or maintain facilities for the purpose of furnishing gas or electric services. A three-fifths (3/5) majority of the votes on the issue at that election shall operate to permit the unit to proceed under the operative provisions of this act.

Section 12. Any utility property acquired by a unit of local government under this act remains on the tax rolls and is treated for tax purposes as the same property was treated prior to acquisition.

Section 13. After five (5) years from the date of commencement of operation of the facility by a unit of local government, the people may vote to dispose of the utility as follows:

(1) Ten percent (10%) of the qualified electors within a unit of local government which has elected to exercise its rights under this act may, by petition addressed to the governing body of such unit of local government and filed with the clerk thereof, demand that the question of ownership and operation of public utilities be submitted to the electors.

(2) The petition shall be filed at least thirty (30) days before the next regular election.

(3) When the question is submitted to the electors within the unit of local government the ballot shall read:

/ ☐ / For ownership and operation of _____
gas or electric
services by _____
city, town or county

/ ☐ / Against ownership and operation _____
gas or electric
services by _____
city, town or county

(4) If three-fifths (3/5) of the qualified voters, voting in the election, vote against the question, the unit of local government shall discontinue any activity concerning acquiring, owning or operating utilities and shall dispose of all property and rights acquired for purpose of furnishing such utilities.

Section 14. Whenever a unit of local government exercises its rights under this act it shall give first and preferred consideration for employment to the employees of the preexisting system, shall honor existing labor contracts, and shall negotiate a satisfactory agreement as to pensions and other fringe benefits."

Renumber: subsequent sections.

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 171, respectfully report as follows: That Senate Bill No. 171 be concurred in.

W. BAETH, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 149, respectfully report as follows: That Senate Bill No. 149 be concurred in.

W. BAETH, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Joint Resolution No. 49, respectfully report as follows: That House Joint Resolution No. 49 do pass.

W. BAETH, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Joint Resolution No. 30, respectfully report as follows: That House Joint Resolution No. 30 do not pass.

W. BAETH, Chairman

February 13, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 546, respectfully report as follows: That House Bill No. 546 do not pass.

W. BAETH, Chairman

MESSAGE FROM THE OTHER HOUSE

February 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolutions were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 13, introduced by Towe, Cetrone, Norman, et al

Senate Bill No. 78, introduced by Greely (by request of Governor), Warden

Senate Bill No. 86, introduced by Towe, Watt, Regan, et al

Senate Bill No. 94, introduced by Turnage (by request of Department of Revenue)

Senate Bill No. 97, introduced by Romney, Regan, Flynn, et al

Senate Bill No. 103, introduced by Regan, Blaylock (by request of Governor)

Senate Bill No. 105, introduced by Flynn, Turnage

Senate Bill No. 130, introduced by Turnage

Senate Bill No. 138, introduced by Thiessen, Flynn, Turnage, et al

Senate Bill No. 143, introduced by Colberg, Romney, Watt, et al

Senate Bill No. 213, introduced by Etchart, McCallum, Kolstad, et al

Senate Bill No. 276, introduced by Cetrone, Lynch, Roberts

Senate Bill No. 337, introduced by Roberts (by request of Department of Natural Resources)

Senate Joint Resolution No. 7, introduced by Colberg, Norman, Blaylock

Senate Joint Resolution No. 12, introduced by Roskie, Galt, Manley, et al

Senate Joint Resolution No. 24, introduced by Committee on Natural Resources and Fish and Game

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Quilici moved that the House recall House Bill No. 254 from the Senate. Quilici requested that a roll call vote be taken with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Asher, R. Baeth, W. Baeth, Bengtson, Bertelsen, Brand, Casey, Ellison, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kropp, Kvaalen, Lester, Lien, Lockrem, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Thomas, Travis, Tropila, Underdal, Williams, Wood, Mr. Speaker. Total 60.

Noes: C. R. Anderson, J. Anderson, Babcock, Barrett, Bradley, Conroy, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Gerke, Gunderson, Harper, Holmes, Huennekens, Johnson, Kemmis, Kimble, Kummerfeldt, Lory, Luebeck, Lynch, Palmer, Rasmussen, Sloan, South, Stoltz, Teague, Vincent, Wolfe, Wyrick, Yardley. Total 34.

Excused: Richards. Total 1.

Absent or not voting: Bardanouve, Dassinger, Day, Fabrega, Guthrie. Total 5.

Huennekens moved that the following bills be rereferred from the Committee on the Judiciary: House Bill No. 654 to the Committee on State

Administration, House Bill No. 666 to the Committee on Natural Resources, House Bill No. 493 to the Committee on Fish and Game, and House Bill No. 676 to the Committee on Public Health, Welfare and Safety.

Motion carried.

Lynch moved that House Bill No. 64 be taken from Second Reading and be rereferred to the Committee on Appropriations. Lockrem asked for a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Guthrie, Hager, Hubing, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Seifert, Smith, Wood, Wyrick. Total 30.

Excused: Richards. Total 1.

Absent or not voting: Schye. Total 1.

O'Connell moved that consideration of Senate Bill No. 85 now on Second Reading be passed for the day.

Motion carried.

Fagg moved that consideration of House Bill No. 121 be postponed until a fiscal note has been received.

Motion carried.

Lien moved that House Bill No. 295 be taken from Second Reading and be rereferred to the Committee on Taxation.

Motion carried.

Meloy moved that House Bill No. 675 be rereferred from the Committee on Business and Industry to the Committee on Natural Resources.

Motion carried.

Yardley moved that House Bill No. 359 be taken from Second Reading and be rereferred to the Committee on Taxation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 680, introduced by Meloy, Rasmussen, Babcock: A bill for an act entitled: "An act to appropriate fifty-four thousand eight hundred dollars to the Department of Administration for the purpose of reimbursing Lewis and Clark County for costs related to holding the national high school rodeo in Helena." Referred to Committee on Appropriations.

House Bill No. 681, introduced by James Moore, Huennekens, Day: A bill for an act entitled: "An act to be known as the "Montana Kitchen and Table Wine Act"; providing for wholesaling of kitchen and table wine and the retail sale thereof by licenses; providing a state tax on such wine; requiring registration of labels; and regulating the importation, distribution, and sale of such wine." Referred to Committee on Business and Industry.

House Joint Resolution No. 61, introduced by the State Administration Committee: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the United States Congress grant to the City of Deer Lodge, Montana, the land and buildings constituting the old territorial prison located therein. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

Senate Joint Resolution No. 7, introduced by Colberg, Norman, Blaylock: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Montana Arts Council, in cooperation with the Department of Administration, to investigate the feasibility of creating a Design Review Commission for new public buildings. Referred to Committee on State Administration.

Senate Joint Resolution No. 12, introduced by Roskie, Galt, Manley, Graham, Conover, Etchart, Dunkle, Boylan, Flynn, Kolstad, Story: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Western Governor's Conference on Agriculture to seek congressional support for state, regional, and federal programs designed to meet the needs for rangeland resources in the future, more specifically the projected demands for livestock grazing. Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Joint Resolution No. 24, introduced by the Committee on Natural Resources: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign a Joint Interim Subcommittee of the Senate and House Natural Resources Committees to undertake a study of log scaling operations in Montana and possible means by which they may be regulated. Referred to Committee on Natural Resources.

Senate Bill No. 13, introduced by Towe, Cetrone, Norman, R. Smith, Conover, Watt, Colberg, Foster, Blaylock, Regan, Romney: A bill for an act entitled: "An act revising the taxation of coal production; providing for a severance tax on coal produced at twenty-five percent (25%) of value; deleting coal from the provisions taxing the net proceeds of mines; providing for taxation of the gross proceeds from coal as an element in the property tax system; and repealing Sections 84-1301 through 84-1309, 84-1309.1, 84-1310, and 84-1311, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 78, introduced by Greely, Warden (by request of the Governor): A bill for an act entitled: "An act imposing limitations on the amount of funds that may be contributed in support of or in opposition to a candidate; repealing Sections 23-4727 and 23-4728, R.C.M. 1947; and providing for a delayed effective date." Referred to Committee on Judiciary.

Senate Bill No. 86, introduced by Towe, Colberg, Watt, Regan, Norman, Romney, Seibel: A bill for an act entitled: "An act creating a fund for

research into alternative energy sources and allocating certain revenue from coal taxes to the fund; establishing a board to make grants from the fund in support of alternative energy research; amending Section 84-1309.1, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 94, introduced by Turnage (by request of Department of Revenue): A bill for an act entitled: "An act to amend Section 84-1504, R.C.M. 1947, to provide for an automatic extension of one (1) to six (6) months for the filing of a corporation license tax return." Referred to Committee on Taxation.

Senate Bill No. 97, introduced by Romney, Regan, Flynn, Healy, Mehrens: A bill for an act entitled: "An act expanding the prohibition against corporate contributions to prevent such contributions in support of or in opposition to issues; deleting the prohibition preventing majority stockholders from contributing to political campaigns; amending Section 23-4744; and providing for an effective date." Referred to Committee on Judiciary.

Senate Bill No. 103, introduced by Regan, Blaylock (by request of Governor): A bill for an act entitled: "An act to require that an inquest be held in situations where a death occurs in a jail or penal institution, or where death results from the use of a firearm; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 105, introduced by Flynn, Turnage: A bill for an act entitled: "An act to amend Section 26-507, R.C.M. 1947, prohibiting the resale or commercial use of confiscated fish and game by purchasers." Referred to Committee on Fish and Game.

Senate Bill No. 130, introduced by Turnage: A bill for an act entitled: "An act amending Section 82-4311, R.C.M. 1947, to add a filing fee to be paid to the Secretary of State when filing tort claims." Referred to Committee on State Administration.

Senate Bill No. 138, introduced by Thiessen, Flynn, Turnage, Jergeson: A bill for an act entitled: "An act to amend the Uniform Probate Code to provide that a personal representative and his attorney may not receive a fee or other compensation for an estate not closed within two years unless good cause is shown to exist." Referred to Committee on Judiciary.

Senate Bill No. 143, introduced by Colberg, Romney, Watt, Brown: A bill for an act entitled: "An act to amend Section 11-1104, R.C.M. 1947, to provide for prompt judicial review of resolutions proposed by popular initiative." Referred to Committee on Judiciary.

Senate Bill No. 213, introduced by Etchart, McCallum, Kolstad, Foster, Galt, Flynn: A bill for an act entitled: "An act to amend Section 89-1001, R.C.M. 1947, to provide authority to appoint a water commissioner to insure delivery of water contracted by an irrigation district board." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 276, introduced by Cetrone, Lynch, Roberts: A bill for an act entitled: "An act amending Section 80-1412, R.C.M. 1947, to provide that a youth forest camp is a correctional institution for all offenders under the age of twenty-five (25)." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 337, introduced by Roberts, (by request of Department of Natural Resources): A bill for an act entitled: "An act amending Sections 89-702 and 89-702.1, R.C.M. 1947, to clearly provide that all dams, dikes, and reservoirs are included in said sections; and providing for an

immediate effective date.” Referred to Committee on Agriculture, Live-stock and Irrigation.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 13, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 133 do pass. (75-16)

That House Bill No. 175 do pass. (86-1)

That House Bill No. 247 do pass. (73-10)

That House Bill No. 268 do pass. (64-28)

That House Bill No. 287 do pass. (90-1)

That House Bill No. 307 do pass. (85-4)

That House Bill No. 326 do pass. (91-1)

That House Bill No. 401 do pass. (92-0)

That House Bill No. 484 do pass. (92-0)

That House Bill No. 485 do pass. (92-0)

That House Bill No. 512 be amended as follows:

1. Amend page 4, section 6 (2), line 1.

Following: “architect”

Strike: “(”

2. Amend page 4, section 6 (2), lines 1 and 2.

Following: “board”

Strike: “and those registered under the grandfather clause)” (91-0)

And be further amended:

3. Amend page 4, lines 7 through 16.

Strike: section 7 in its entirety.

Renumber: all subsequent sections. (85-1)

And be further amended:

4. Amend page 7, section 10 (3), line 15.

Following: “engineers,”

Strike: “geologists,” (81-3)

And be further amended:

5. Amend page 4, section 8, line 25.

Following: “architect.”

Insert: “The board is allocated to the department of professional and occupational licensing for administrative purposes only as prescribed in Section 82A-108.” (86-0)

And as amended, do pass. (83-13)

(O'Connell excused at this time.)

That House Bill No. 530 do pass. (77-19)

That House Bill No. 532 do pass. (72-15)

That House Bill No. 661 do pass. (81-7)

That House Joint Resolution No. 28 do pass. (88-0)

That Senate Bill No. 68 be passed for the day.

That Senate Amendments to House Bill No. 31 be concurred in. (88-1)

That Senate Amendments to House Bill No. 38 be concurred in. (93-0)

That Senate Amendments to House Bill No. 142 be concurred in. (93-0)

That the Committee rise and report.

MARKS, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 13, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 103.

QUILICI, Chairman

February 13, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bills Nos. 79, 195, 383.

QUILICI, Chairman

February 13, 1975

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be terminated by the House of Representatives for the 44th Legislative Session at the close of business February 1, 1975:

Patti Ann GomezPage

At the close of business, February 5, 1975, the following also be terminated:

Ava G. South.....Page

At the close of business, February 11, 1975, the following also be terminated:

Craig HaferPage

Do pass.

LYNCH, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and

Safety, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (7), line 13.

Strike: "the"

Insert: "The"

2. Amend page 2, following line 25.

Insert: a new section 3 to read as follows and renumber the subsequent section.

"Section 3. Appointment to the board. The governor shall appoint present members of the board, with the person's consent, to constitute membership of the new board. The length of term of each member shall be determined by lot, within the requirements of section 1, subsection (7) of this act."

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 do pass.

MENAHAN, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 be amended in the introduced bill as follows:

1. Amend page 1, the title, line 6.

Following: "for"

Strike: "hospital facilities"

Insert: "hospital related facilities, and long-term care facilities"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 do pass.

MENAHAN, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 591, respectfully report as follows: That House Bill No. 591 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 21.

Following: "society;"

Strike: "the"

Insert: "one (1)"

And as amended, do pass.

BRAND, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 565, respectfully report as follows: That House Bill No. 565 do pass.

BRAND, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 603, respectfully report as follows: That House Bill No. 603 do pass.

BRAND, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do pass.

GUNDERSON, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 do pass.

GUNDERSON, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 447, respectfully report as follows: That House Bill No. 447 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Strike: "taxes,"

2. Amend page 1, section 1, line 14.

Following: "fees—"

Strike: "[use of filing fees]"

Insert: "use of filing fees"

3. Amend page 3, section 1, subsection (2), line 6 through line 11.

Following: "(\$300,000,000)."

Strike: All stricken material.

Insert: "It is the intent of the legislature that the revenues derived from

the filing fee be used by the department in compiling the information required for rendering a decision on a certificate and for carrying out its other responsibilities under this chapter."

4. Amend page 6, section 1, subsection (4), line 15.

Following: "fines"

Insert: "and penalties"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

YARDLEY, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 448, respectfully report as follows: That House Bill No. 448 be amended in the introduced bill as follows:

1. Amend title, page 1, line 8.

Following: "fund"

Strike: "; and providing for an immediate effective date"

2. Amend page 1, section 2, lines 23 and 24.

Strike: section 2 in its entirety.

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 5.

Following: "84-202"

Insert: ", 84-301"

2. Amend page 3, after line 23, insert a new section 2.

Insert: "Section 84-301, R.C.M. 1947, is amended to read as follows:

'84-301. Classification of property for taxation. For the purpose of taxation the taxable property in the state shall be classified as follows:

Class One. The annual net proceeds of all mines and mining claims, after deducting only the expenses specified and allowed by section 84-5403; also where the right to enter upon land, to explore or prospect, or dig for oil, gas, coal or mineral is reserved in land or received by mesne conveyance (exclusive of leasehold interests), devise or succession by any person or corporation, the surface title to which has passed to or remains in another, the state department of revenue shall determine the value of the right to enter upon said tract of land for the purpose of digging, exploring, or prospecting for gas, oil, coal or minerals, and the same shall be placed in this classification for the purpose of taxation.

Class Two. All agricultural and other tools, implements and machinery, gas and other engines and boilers, threshing machines and outfits used therewith, automobiles, motor trucks and other power-driven cars, vehicles of all kinds except mobile homes, boats and all watercraft,

harness, saddlery and robes and except as provided in Class Five [(b)] (a) of this section, all poles, lines, transformers, transformer stations, meters, tools, improvements, machinery and other property used and owned by all persons, firms, corporations, and other organizations which are engaged in the business of furnishing telephone communications, exclusively to rural areas, or to rural areas and cities and towns provided that any such city or town has a population of eight hundred (800) persons or less; and provided further, that the average circuit miles for each station on the system is more than one and one-quarter ($1 \frac{1}{4}$) miles.

Class Three. Livestock, poultry and unprocessed products of both; stocks of merchandise of all sorts, together with furniture and fixtures used therewith, except mobile homes; and all office or hotel furniture and fixtures.

Class Four. (a) All land, town and city lots, with improvements, and all trailers affixed to land owned, leased, or under contract or purchase by the trailer owner, manufacturing and mining machinery, fixtures and supplies, except as otherwise provided by the constitution of Montana, and except as such property may be included in Class Five, Class Seven or Class Eight.

(b) Mobile homes without regard to the ownership of the land upon which they are situated, except those held by a distributor or dealer of mobile homes as part of his stock in trade, and except as such property may be included in Class Eight.

Class Five. [(a) All moneys and credits, secured or unsecured, including all state, county, school district and other municipal bonds, warrants and securities, without any deduction or offset, provided, however, that the terms "moneys and credits" as herein used shall not embrace the moneyed capital employed in the banking business by any banking corporation or individual in this state.]

[(b)] (a) All poles, lines, transformers, transformer stations, meters, tools, improvements, machinery and other property used and owned by co-operative rural electrical and co-operative rural telephone associations organized under the laws of Montana except those within the incorporated limits of a city or town in which less than ninety-five per cent (95%) of the electric consumers and/or telephone users are served by a co-operative organization, and as to the property enumerated in this sub-section [(b)] within incorporated limits of a city or town in which less than ninety-five per cent (95%) of the electric consumers or users will be served by a co-operative organization, such property shall be put in Class Two.

[(c)] (b) All unprocessed agricultural products either on the farm or in storage, irrespective of whether said products are owned by the elevator, warehouse or flour mill owner or company storing the same, or any other person whomsoever, except all perishable fruits and vegetables in farm storage and owned by the producer, and excepting livestock and poultry and the unprocessed products of both.

[(d)] (c) The dwelling house, and the lot on which it is erected, owned and occupied by any resident of the state, who has been honorably discharged from active service in any branch of the armed forces, who is rated one hundred per cent (100%) disabled due to a service-connected disability by the United States veterans administration or its successors.

In the event of the veteran's death, the dwelling house, and the lot on which it is erected, so long as the widow remains unmarried and the owner and occupant of the property, shall remain within this classification.

Class Six. Property formerly included in this class is now classified by section 84-308, R.C.M. 1947.

Class Seven. (a) All new industrial property. New industrial property shall mean any new industrial plant, including land, buildings, machinery and fixtures which, in the determination of the state department of revenue, is used by a new industry during the first three (3) years of operation not having been assessed prior to July 1, 1961, within the state of Montana. New industry shall mean any person, corporation, firm, partnership, association, or other group which establishes a new plant or plants in this state for the operation of a new industrial endeavor, as distinguished from a mere expansion, reorganization, or merger of an existing industry or industries. Provided, however, that new industrial property shall be limited to industries that manufacture, mill, mine, produce, process or fabricate materials, or do similar work in which capital and labor are employed and in which materials unserviceable in their natural state are extracted, processed or made fit for use or are substantially altered or treated so as to create commercial products or materials; and in no event shall the term new industrial property be included to mean property used by retail or wholesale merchants, commercial services of any type, agriculture, trades or professions. And provided further, that new industrial property shall not be included to mean property which is used or employed in any industrial plant which has been in operation in this state for three (3) years or longer. Any person, corporation, firm, partnership, association or other group seeking to qualify its property for inclusion in this class shall make application to the state department of revenue in such manner and form as may be required by said department.

Class Eight. Any improvement on real property, trailers affixed to land or mobile home belonging to any person who qualifies under any one or more of the hereinafter set forth categories, valued at not more than seventeen thousand five hundred dollars (\$17,500), which is owned or under a contract for deed, and which is actually occupied by:

(1) a widow sixty-two (62) years of age or older, whether with or without minor dependent children, who qualifies under the income limitations of (4), or

(2) a widower sixty-five (65) years of age or older, whether with or without minor dependent children, who qualifies under the income limitations of (4), or

(3) a widow with minor or dependent children regardless of age, who qualifies under the income limitations of (4), or

(4) a recipient of retirement benefits whose income from all sources is not more than four thousand dollars (\$4,000) for a single person and five thousand two hundred dollars (\$5,200) for a married couple per annum. Provided, further, that one who applies for classification of property under this class must make an affidavit to the state department of revenue on a form as may be provided by the state department of revenue supplied without cost to the applicant, as to his income, if applicable, as to his retirements benefits, if applicable, or, as to his marital status, if applicable, and to the fact that he or she actually occupies such improvements with right of the county welfare board to investigate the applicant, on the completion of the form, as to answers given on the form. Provided, further, that the value of said property shall not increase during the life of the recipient of retirement benefits or widow or widower covered under this class. For purposes of the affidavit required for classification of property under this class, it shall be sufficient if the applicant signs a state-

ment swearing to or affirming the correctness of the information supplied, whether or not the statement is signed before a person authorized to administer oaths, and mails the application and statement to the department of revenue. This signed statement shall be treated as a statement under oath or equivalent affirmation for purposes of section 94-7-203, R.C.M. 1947, relating to the criminal offense of false swearing.

Class Nine. All property not included in the eight (8) preceding classes."

3. Amend page 3, line 24.
Renumber subsequent section.

And as amended, do pass.

(Material in brackets denotes cancelled type.)

YARDLEY, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 do not pass.

YARDLEY, Chairman

February 13, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 550, respectfully report as follows: That House Bill No. 550 do not pass.

BRAND, Chairman

February 13, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 441, respectfully report as follows: That House Bill No. 441 be amended in the introduced bill as follows:

1. Amend page 2, section 2, line 8.

Following: "council,"

Strike: "the department of fish and game, the department of health and environmental sciences"

Insert: "the transportation industry, the department of labor"

2. Amend page 4, section 5, line 7.

Following: "account"

Insert: "to allow federal matching funds"

And as amended, do not pass.

BRAND, Chairman

MOTIONS

Brand moved that House Bill No. 201 be rereferred from the Committee on State Administration to the Committee on Appropriations.

Motion carried.

Kendall moved that Senate Bill No. 68 be taken from Second Reading and be rereferred to the Committee on Local Government.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 163 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Guthrie, Seifert. Total 2.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: None.

House Bill No. 230 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Seifert, Smith. Total 2.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: None.

House Bill No. 233 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: Bengtson, Fabrega, Finley. Total 3.

House Bill No. 242 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, McFadden, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 88.

Noes: Babcock, Ellison, Guthrie, Hubing, Kvaalen, Marks, Seifert, Smith, Wyrick. Total 9.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: Wood. Total 1.

House Bill No. 290 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: Jacobsen, Staigmilller. Total 2.

House Bill No. 311 passed by the following vote:

Ayes: C.R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Rasmussen, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey,

Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Guthrie, Hager, Hubing, Jacobsen, Johnston, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lund, Manuel, Marks, Mercer, Jack Moore, Quilici, Robbins, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 35.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: Schye. Total 1.

House Bill No. 482 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Asher. Total 1.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: Williams. Total 1.

House Bill No. 400 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 76.

Noes: Aageson, Asher, Babcock, Barrett, Bertelsen, Brand, Ellerd, Gould, Guthrie, Kendall, Kropp, Kvaalen, Lockrem, Magone, Marks, Mercer, Robbins, Seifert, Smith, Underdal, Wyrick. Total 21.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: Johnston. Total 1.

House Bill No. 508 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer,

Jack Moore, James Moore, Mular, Murphy, Palmer, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: Quilici. Total 1.

House Bill No. 527 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 95.

Noes: Asher, Hager, Wyrick. Total 3.

Excused: O'Connell, Richards. Total 2.

Absent or not voting: None.

Driscoll moved that the House adjourn until 1:30 p.m., February 14, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 14, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Bertelsen and Gerke, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 14, 1975

I have examined House Joint Resolution No. 6 introduced by me and find the same to be correct.

HOLMES

February 14, 1975

I have examined House Joint Resolution No. 22 introduced by me and find the same to be correct.

LIEN

February 14, 1975

I have examined House Bill No. 147 introduced by me and find the same to be correct.

W. BAETH

February 14, 1975

The Committee on Bills reports the following bills and resolutions correctly enrolled: House Bills Nos. 99, 147. House Joint Resolutions Nos. 6, 22.

QUILICI, Chairman

February 14, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution considered correctly engrossed: House Bills Nos. 133, 175, 247, 268, 287, 307, 309, 326, 401, 484, 485, 530, 532, 661. House Joint Resolution No. 28.

QUILICI, Chairman

February 13, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bills Nos. 82, 220.

QUILICI, Chairman

February 13, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution correctly printed: House Bill No. 635. House Joint Resolution No. 49.

QUILICI, Chairman

February 14, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 346, 358, 381, 386, 565, 574, 603.

QUILICI, Chairman

February 14, 1975

The following bills and resolutions will be signed on adjournment on February 14, 1975, in the office of the Speaker of the House of Representatives: Senate Bill No. 17, House Bill No. 147, House Bill No. 99, House Joint Resolution No. 6, House Joint Resolution No. 22.

Edwin A. Smith, Chief Clerk
House of Representatives

February 14, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 638, respectfully report as follows: That House Bill No. 638 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6 and 7.

Following: "districts"

Strike: "and urban zoning classifications"

2. Amend page 3, section 1, subsection (12) (c), line 21.

Following: "district"

Strike: "or zoning classification"

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 48, respectfully report as follows: That House Joint Resolution No. 48 be amended in the introduced copy as follows:

1. Amend page 2, line 8.

Following: "data"

Strike: "."

Insert: ", and"

2. Amend page 2, following line 8.

Insert: Two new segments as follows:

"Whereas, the USDA Soil Conservation Service, with leadership for the National Cooperative Soil Survey in Montana, has, in cooperation with the Montana Agricultural Experiment Stations and other federal agencies completed detailed soil surveys on thirty-four million (34,000,000) acres, and

Whereas, with current financial and technical resources, it will take about fifteen (15) years to complete the soil survey in Montana."

3. Amend page 2, line 13.

Following: "Conservation"

Insert: "in cooperation with conservation districts, private land owners, local, state and federal agencies,"

4. Amend page 2, lines 14, 15 and 16.

Strike: These lines in their entirety.

Insert: "to analyze and determine the need for a state program to support the efforts of those agencies now participating in the national cooperative soil survey to accelerate the production of detailed soil surveys in Montana to adequately deal with energy, agricultural production environmental concerns,"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 653, respectfully report as follows: That House Bill No. 653 do not pass.

GERKE, Chairman

Objection raised by Jack Moore on the adverse committee report on House Bill No. 546. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

February 13, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate did this day accede to the request for the return of House Bill No. 254, and are herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 13, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 9, introduced by Stoltz, Bradley

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 13, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Senate Bills and Senate Joint Resolution were this day read three several times, and passed, titles and history agreed to, and the said bills and Senate Joint Resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 41, introduced by Story, Boylan

Senate Bill No. 96, introduced by Mathers (by request of State Tax Appeal Board)

Senate Bill No. 108, introduced by Towe

Senate Bill No. 133, introduced by Roberts

Senate Bill No. 134, introduced by Roberts

Senate Joint Resolution No. 9, introduced by E. Smith, McCallum, Stephens, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Asher moved to suspend the rules to allow the introduction of a House Joint Resolution concerning gun control. Asher requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion carried by the following two-thirds majority vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick. Total 85.

Noes: Aageson, Bardanouve, Brand, Herlevi, Lory, Sivertsen, Mr. Speaker. Total 7.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Gunderson, Kanduch, McFadden, Richards, Travis, Yardley. Total 6.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 682, introduced by Gunderson: A bill for an act entitled: "An act to limit, license, regulate, and control gambling; establishing a gaming control board and specifying its powers and duties; and providing penalties for violations of this act." Referred to Select Committee on Gambling.

House Bill No. 683, introduced by Bardanouve: A bill for an act entitled: "An act amending the fire hazard reduction laws by clarifying those laws;

requiring persons clearing right-of-way to notify the Department of Natural Resources and Conservation of the clearing; providing for monthly payments of withheld monies to reduce fire hazards; increasing the permissible maximum of the hazard reduction payments to the Department; amending Sections 28-404 through 28-408, 28-410, and 28-412, R.C.M. 1947." Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time, and referred to committees:

Senate Bill No. 41, introduced by Story, Boylan: A bill for an act entitled: "An act subjecting every fee set or changed by a state agency in its discretion to review and approval by the Legislature." Referred to Committee on State Administration.

Senate Bill No. 96, introduced by Mathers: (by request of the State Tax Appeal Board): A bill for an act entitled: "An act to amend Section 84-603, R.C.M. 1947, to provide that an application for property value reduction be filed the third Monday of July rather than the first day of August." Referred to Committee on Taxation.

Senate Bill No. 108, introduced by Towe: A bill for an act entitled: "An act to disallow consideration of advertising expenses and contributions in setting rates charged by public utilities." Referred to Committee on Business and Industry.

Senate Bill No. 133, introduced by Roberts: A bill for an act entitled: "An act amending Section 11-2023, R.C.M. 1947, to delete the language that prohibits a retired volunteer fireman from receiving benefits from a retirement system other than the volunteer firemen's pension fund." Referred to Committee on Local Government.

Senate Bill No. 134, introduced by Roberts: A bill for an act entitled: "An act to amend Section 93-4102, R.C.M. 1947, to provide for a show cause hearing before a sheriff may seize property." Referred to Committee on Judiciary.

Senate Joint Resolution No. 9, introduced by E. Smith, McCallum, Stephens, Roskie, Story, Etchart, Goodover, Jergeson, Kolstad, Aber, Flynn, Galt, Manley, Theissen, Brown, Nelson: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging public authorities to seek a distribution point for Montana along any arctic gas pipeline which may be constructed. Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

South in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 14, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 103 do pass. (86-6)

That House Bill No. 336 do pass. (86-3)

That House Bill No. 354 do pass. (68-24)

That House Bill No. 491 do pass. (71-23)

That House Bill No. 635 do pass. (81-8)

That House Joint Resolution No. 32 do pass. (88-1)

That House Joint Resolution No. 36 do pass. (75-10)

That House Joint Resolution No. 49 do pass. (90-1)

That Senate Bill No. 85 be concurred in. (88-0)

That Senate Bill No. 149 be concurred in. (74-5)

That Senate Bill No. 171 be concurred in. (83-2)

That Senate Amendments to House Bill No. 9 be not concurred in. (71-25)

That the Committee rise and report.

SOUTH, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 14, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 546.

QUILICI, Chairman

February 14, 1975

I have examined House Bill No. 99 introduced by me and find the same to be correct.

BARDANOUE

February 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do pass.

FLEMING, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398, introduced bill, be amended as follows:

1. Amend page 1, in the title, line 5.

Following: "research"

Strike: "in"

Insert: "under the administration of"

2. Amend page 1, in the title, line 8.

Following: "mill"

Insert: "upon the sale value"

3. Amend page 2, section 2, lines 6 and 7.

Following: "by the"

Strike: "department of agriculture of the state of Montana and the division of livestock research"

Insert: "division of livestock research and marketing under the administration of the department of agriculture of the state of Montana"

4. Amend page 2, section 3, line 10.

Following: "marketing"

Strike: "in the"

Insert: "under the administration of the"

5. Amend page 2, section 3, lines 23 - 25.

Strike: subsection (3) in its entirety.

Re-number: subsequent subsections

6. Amend page 4, section 4, subsection (8), line 17.

Strike: "."

Insert: ";

7. Amend page 4, section 4, subsection (8), following line 17.

Insert: a new subsection that reads as follows:

"(9) 'Livestock' means all cattle, sheep and swine."

8. Amend page 5, section 5, subsection (2)(b) (iii), line 13.

Following: "representative"

Insert: ", from Montana, skilled in the commercial trading and marketing aspect"

9. Amend page 5, section 5, subsection (2)(b) (iii), lines 13 and 14.

Following: "industry"

Strike: "in Montana"

10. Amend pages 5 and 6, section 5, subsection (3), lines 21 - 25 on page 5, lines 1 - 23 on page 6.

Strike: lines 21-25 in their entirety on page 5; lines 1 - 23 in their entirety on page 6.

Insert:

"District 1. consisting of Daniels, Dawson, Garfield, McCone, Petroleum, Richland, Roosevelt, Sheridan, and Valley counties;

District 2. consisting of Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Treasure and Wibaux counties;

District 3. consisting of Big Horn, Carbon, Stillwater, Sweetgrass, and Yellowstone counties;

District 4. consisting of Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell and Wheatland counties;

District 5. consisting of Blaine, Choteau, Glacier, Hill, Liberty, Phillips, Pondera, Teton and Toole counties;

District 6. consisting of Broadwater, Deer Lodge, Flathead, Granite, Lake, Lewis and Clark, Lincoln, Mineral, Missoula, Powell, Ravalli, and Sanders counties;

District 7. consisting of Beaverhead, Gallatin, Jefferson, Madison, Park, and Silver Bow counties."

11. Amend page 7, section 5, subsection (4), line 1.

Following: "association"

Strike: "—"

12. Amend page 7, section 5, subsection (4), lines 2 - 3.

Following: "organization"

Strike: ", farmers' union, grange, farm bureau, pork producers,"

Insert: "of Montana, Montana farmers' union, Montana grange, Montana farm bureau, Montana pork producers, Montana"

13. Amend page 7, section 5, subsection (5), line 14.

Following: "2"

Strike: "and 8"

14. Amend page 7, section 5, subsection (5), line 15.

Following: "3"

Strike: "and 9"

15. Amend page 7, section 5, subsection (5), line 16.

Following: "4"

Strike: ", 10 and 11"

16. Amend page 7, section 5, subsection (5), line 17.

Following: "5"

Strike: "and 12"

17. Amend page 9, section 9, subsection (1) (d), line 19.

Following: "livestock."

Insert: "The committee shall not establish independent research units or agencies of its own."

18. Amend page 9, section 9, subsection (1)(d).

Following: line 19

Insert: a new subsection (2) to read as follows:

"(2) No researchers or professional or scientific personnel may be employed to carry out this act except as provided in subsection (1) (d) of this section."

Renumber: subsequent subsections.

19. Amend page 10, section 11, subsection (1), lines 6 and 7.

Following: "mill"

Strike: "per livestock unit upon all livestock"

Insert: "on the sale value of a livestock unit brought into or"

20. Amend page 12, section 13, subsection (3).

Following: line 16

Insert: a new subsection (4) that reads as follows:

"(4) After thirty (30) days and before ninety (90) days following the deduction of the assessment by the first purchaser or the first lender, the producer may obtain a refund of the assessment, upon the submission of a written, verified request to the department. The request shall be accompanied by the original invoices received by the producer at the time made under the provisions of this section. Records of refunds may be destroyed two (2) years after the refund is made. All original invoices shall be returned to the producer with the refund payment."

21. Amend page 14, section 18, lines 10 through 16.

Strike: section 18 in its entirety.

Renumber: subsequent sections.

And as amended, do pass.

FLEMING, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 480, respectfully report as follows: That House Bill No. 480 do pass.

FLEMING, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 420, respectfully report as follows: That House Bill No. 420 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 14.

Following: "amendment"

Insert: "or"

2. Amend page 2, section 2, line 4.

Following: "senator"

Insert: "known to oppose the measure"

3. Amend page 2, section 2, line 4.

Following: "house"

Insert: "of representatives"

4. Amend page 2, section 2, line 5.

Following: "representative"

Insert: "known to oppose the measure"

5. Amend page 2, section 2, lines 5 through 7.

Strike: "Whenever possible, the members appointed shall be known to have opposed the measure."

6. Amend page 3, section 7, line 14.

Following: "less than"

Strike: "seven (7)"

Insert: "eight (8)"

7. Amend page 3, section 8, line 24.

Following: "less than"

Strike: "six (6)"

Insert: "seven (7)"

8. Amend page 6, section 10, subsection (5)(c), following line 7.

Insert: "(d) the manner in which the measure will appear on the ballot;"

Reletter: subsequent subsections.

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 419, respectfully report as follows: That House Bill No. 419 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 20.

Following: "In"

Strike: "preparing the ballot"

Insert: "the event a brief statement of the implication of a vote is not provided in the measure itself,"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 393, respectfully report as follows: That House Bill No. 393 do pass.

HUENNEKENS, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 479, respectfully report as follows: That House Bill No. 479 do not pass.

FLEMING, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 30 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 87.

Noes: Conroy, Kelly, Mular, Wyrick. Total 4.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Fleming, Huennekens, Lockrem, Lund, Lynch, Jack Moore, Robbins. Total 7.

MESSAGE FROM THE OTHER HOUSE

February 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read three several times and concurred in as amended, title and history agreed to, and the said House Joint Resolution is herewith returned to the House for concurrence in Senate amendments:

House Joint Resolution No. 9, introduced by Harper, Fleming, McKittrick, et al

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Stoltz moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate amendments to House Bill No. 9.

Motion carried.

The Speaker appointed Stoltz, Chairman, Kimble and Ellis to the joint conference committee.

Gunderson moved to suspend the rules to allow the introduction of a House Bill to be called the Family Farm Act.

The motion, requiring a two-thirds majority, failed by a vote of 66 to 34.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 79 failed to pass by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Dassinger, Driscoll, Dussault, Federico, Finley, Gunderson, Harper, Helmbrecht, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Luebeck, Lynch, Magone, Meloy, Menahan, James Moore, Mular, O'Connell, Palmer, Quilici, Richards, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Yardley, Mr. Speaker. Total 45.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Casey, Conroy, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kropp, Kvaalen, Lien, Lockrem, Lory, Lund, McFadden, Manuel, Marks, Mercer, Jack Moore, Murphy, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, Staigmillier, Tropila, Underdal, Wood, Wyrick. Total 52.

Paired: Driscoll, Aye; Bertelsen, No.

Excused: Gerke. Total 1.

Absent or not voting: Fleming, Wolfe. Total 2.

House Bill No. 82 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fleming, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Magone, Meloy, James Moore, Murphy, O'Connell, Palmer, Richards, Robbins, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Vincent, Williams, Wolfe, Mr. Speaker. Total 51.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Conroy, Ellerd, Ellison, Fabrega, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Hager, Jacobsen, Johnston, Kelly, Kropp, Kvaalen, Lockrem, Lory, Lund, Lynch, McFadden, Manuel, Menahan, Mercer, Jack Moore, Mular, Quilici, Rasmussen, Schye, Scully, Seifert, Sivertsen, Smith, Tropila, Underdal, Wood, Wyrick, Yardley. Total 44.

Paired: Meloy, Aye; Gerke, No.

Excused: Bertelsen. Total 1.

Absent or not voting: Bengtson, Herlevi, Marks, Travis. Total 4.

House Bill No. 134 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Manuel, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 74.

Noes: Asher, Babcock, Bertelsen, Ellerd, Ellison, Fagg, Gould, Halvorson, Hubing, Jacobsen, Kropp, Lockrem, Lund, Magone, Marks, Mercer, Rasmussen, Schye, Seifert, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 24.

Paired: Driscoll, Aye; Bertelsen, No.

Excused: Gerke. Total 1.

Absent or not voting: Meloy. Total 1.

House Bill No. 144 passed by the following vote.

Ayes: Aageson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: C. R. Anderson, J. Anderson, Schye, Smith. Total 4.

Excused: Bertelsen, Gerke: Total 2.

Absent or not voting: None.

House Bill No. 195 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley. Total 76.

Noes: Asher, Brand, Conroy, Dassinger, Day, Driscoll, Finley, Fleming, Gunderson, Harper, Huennekens, Johnston, Kelly, Kummerfeldt, Lien, Luebeck, Robbins, South, Thomas, Wolfe, Mr. Speaker. Total 21.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Ellison. Total 1.

House Bill No. 220 passed by the following vote:

Ayes: J. Anderson, R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 69.

Noes: Aageson, C. R. Anderson, Asher, Babcock, Bardanouve, Barrett, Casey, Ellerd, Ellison, Guthrie, Hager, Johnston, Kendall, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lund, Marks, Mercer, Rasmussen, Schye, Sivertsen, Smith, Underdal, Wood, Wyrick, Yardley. Total 28.

Excused. Bertelsen, Gerke. Total 2.

Absent or not voting. Scully. Total 1.

House Bill No. 329 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 86.

Noes: Casey, Hager, Kvaalen, Lockrem, Marks, Mercer, Smith, Underdal, Wood, Wyrick. Total 10.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Finley, Sloan. Total 2.

House Bill No. 343 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Johnston, Kelly, Meloy. Total 3.

House Bill No. 355 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: None.

House Bill 383 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Shelden, Sivertsen, Sloan, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Asher, Barrett, Hubing, Mercer, Seifert, Smith, Wood. Total 7.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Scully. Total 1.

House Bill No. 384 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 79.

Noes: Conroy, Ellison, Fleming, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Kropp, Kvaalen, Lockrem, Manuel, Marks, Mercer, Schye, Smith, Wood, Wyrick. Total 18.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Yardley. Total 1.

House Bill No. 418 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 89.

Noes: Guthrie, Hager, Huennekens, Marks, Mercer, Smith, Wood, Wyrick. Total 8.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Dussault. Total 1.

House Bill No. 423 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 83.

Noes: Asher, Babcock, Barrett, Guthrie, Hager, Hubing, Kvaalen, Lockrem, Marks, Mercer, Smith, Wyrick. Total 12.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Bardanouve, Ellison, Holmes. Total 3.

House Bill No. 475 passed by the following vote:

Ayes: Aageson, C.R. Anderson, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lynch, McFadden, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Richards, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 65.

Noes: J. Anderson, Asher, R. Baeth, Casey, Ellerd, Ellison, Fabrega, Fleming, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Johnston, Kendall, Kropp, Lien, Lockrem, Lund, Magone, Manuel, Marks, Mercer, Jack Moore, O'Connell, Rasmussen, Robbins, Seifert, Smith, Underdal, Wood, Wyrick. Total 32.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Sivertsen. Total 1.

House Bill No. 487 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 97.

Noes: Wyrick. Total 1.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: None.

House Bill No. 501 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Ellis, Williams. Total 2.

House Bill No. 514 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully,

Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 73.

Noes: Aageson, Asher, Bardanouve, Casey, Day, Ellison, Fabrega, Guthrie, Hager, Hubing, Jacobsen, Johnston, Kropp, Kvaalen, Lockrem, Lund, Marks, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Smith, Wood, Wyrick. Total 25.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: None.

House Bill No. 535 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Mercer, Seifert. Total 2.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: None.

House Joint Resolution No. 45 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 40 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi,

Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Asher, Kendall. Total 2.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Gwynn, Kelly. Total 2.

Senate Amendments to House Bill No. 31 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 95.

Noes: Yardley. Total 1.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Hubing, Murphy. Total 2.

Senate Amendments to House Bill No. 38 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Bengtson, Staigmiller. Total 2.

Senate Amendments to House Bill No. 142 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Bertelsen, Gerke. Total 2.

Absent or not voting: Bardanouve, Kelly, Kropp. Total 3.

Quilici moved that House Bill No. 254 be taken from Third Reading and be rereferred to the Committee on Taxation.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., February 15, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 15, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Dassinger, Lund, Shelden, Kelly, James Moore, Seifert, and Sloan, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

Objection raised by Lockrem on the adverse committee report on House Bill No. 174. Referred to Second Reading.

February 15, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions considered correctly engrossed: House Bills Nos. 103, 336, 491, 635, House Joint Resolutions Nos. 36, 49.

QUILICI, Chairman

February 14, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution considered correctly engrossed: House Bill No. 354, House Joint Resolution No. 32.

QUILICI, Chairman

February 15, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bills Nos. 80, 125, 338, 357, 393, 480, 638, House Joint Resolution No. 48.

QUILICI, Chairman

February 14, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 356, 447, 448, 591.

QUILICI, Chairman

February 15, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 512.

QUILICI, Chairman

February 15, 1975

The following bills and resolutions were signed in the office of the

Speaker of the House of Representatives on February 14, 1975: Senate Bill No. 17, House Bill No. 147, House Bill No. 99, House Joint Resolution No. 6, House Joint Resolution No. 22.

Edwin A. Smith, Chief Clerk
House of Representatives

February 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 598, respectfully report as follows: That House Bill No. 598 do pass.

BRAND, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Joint Resolution No. 18, respectfully report as follows: That House Joint Resolution No. 18 do not pass.

YARDLEY, Chairman

February 14, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 325, respectfully report as follows: That House Bill No. 325 be amended in the introduced bill as follows:

1. Amend pages 5 and 6, Class Seven, subsection (a), lines 25 through line 4.

Following: "longer."

Strike: All material in subsection (a).

2. Amend page 6, Class Seven, subsection (b), line 5.

Following: "All"

Insert: "new"

3. Amend page 6, Class Seven, subsection (b), line 7.

Following: "items"

Insert: ", except dealer stock,"

4. Amend page 6, Class Seven, subsection (b), line 9.

Following: "system"

Insert: "during the first three (3) years of use. Any person, corporation, firm, partnership, association or other group seeking to qualify its property for inclusion in this class shall make application to the state department of revenue in such manner and form as may be required by the department"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324 do pass.

YARDLEY, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 25, and page 2, lines 1 and 2.

Following: "day."

Strike: "Attendance for more than one half (½) of a school day shall be counted as attendance for one (1) day."

2. Amend page 2, section 1, lines 19 through 22.

Following: "school."

Strike: "The ANB calculation shall not be lowered where twelfth grade students complete their school requirements and graduate at mid-year."

3. Amend page 4, section 1, after subsection (4), lines 13 through 19.

Following: Line 12.

Strike: "Where eleventh and twelfth grade students attend school on a part-time and less than half-time basis, secondary schools may calculate the ANB to include an 'equivalent ANB' for those students, if the students are not included in the ANB. The equivalent ANB shall be determined in a manner prescribed by the superintendent of public instruction of this state."

Insert: "When eleventh or twelfth grade students are regularly enrolled on a part-time basis, high schools may calculate the ANB to include an 'equivalent ANB' for those students. The method for calculating an equivalent ANB shall be determined in a manner prescribed by the superintendent of public instruction."

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 be amended in the introduced bill as follows:

1. Amend page 1, section 1, following subsection (4), line 23.

Insert: "However, when the trustees adopt a total general fund budget which exceeds one hundred ten percent (110%) of the general fund budget for the preceding year, they shall file a notice of this increase with the superintendent of public instruction, setting forth the specific reasons for increasing the budget."

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 be amended in the introduced bill as follows:

1. Amend page 1, section 2, subsection (1), lines 12 and 13.

Following: "person"

Strike: ", firm, association, or corporation"

2. Amend page 1, section 2, subsection (1), line 14.

Strike: "agent, broker, or"

3. Amend page 1, section 2, subsection (1), line 15.

Following: "himself"

Strike: "or itself"

4. Amend page 1, section 2, subsection (1), line 15.

Following: "an"

Strike: "insurance advisor,"

5. Amend page 1, section 2, subsection (1), line 16.

Following: "consultant"

Strike: "or insurance counselor"

6. Amend page 1, section 2, subsection (1), line 17.

Following: "insurance"

Strike: "agent or broker"

Insert: "consultant"

7. Amend page 1, section 2, subsection (1), line 18.

Following: "person"

Strike: ", firm, association, or corporation"

8. Amend page 1, section 2, subsection (1), line 20.

Following: "himself"

Strike: "or itself"

9. Amend page 2, section 2, subsection (2), line 1.

Following: "person"

Strike: ", firm, association, or corporation"

10. Amend page 2, section 2, subsection (2), line 2.

Following: "insurance"

Strike: "agent, broker, or"

11. Amend page 2, section 2, subsection (2), line 4.

Strike: "money,"

12. Amend page 2, section 2, subsection (2), line 4.

Following: "fee"

Strike: ", commission, or thing of value"

13. Amend page 2, section 2, subsection (2), line 9.

Following: "insurance"

Strike: "agent, broker or"

14. Amend page 2, section 3, subsection (2), lines 17, 18 and 19.

Following: "(\$50)."

Strike: "Sublicensees may be included in the application when properly listed and a fee of fifty dollars (\$50) each sublicensee paid."

15. Amend page 2, section 4, line 24.

Following: "any"

Insert: "natural"

16. Amend page 2, section 4, lines 24 and 25.

Following: "person"

Strike: ", firm, association, or corporation"

17. Amend page 2, section 4, line 25.

Following: "who"

Strike: "or which"

18. Amend page 3, section 4, lines 6 through 19.

Following: "license."

Strike: Remainder of section 4 through and including line 19.

19. Amend page 3, section 5, line 20.

Following: "Section 5."

Strike: "Examination — fee"

Insert: "Qualification."

20. Amend page 3, section 5, lines 22 through 25, and page 4, lines 1, 2 and 3.

Following: "require"

Strike: "an applicant to pass a personal, written examination concerning the kinds of insurance specified in section 4. The fee for each examination is fifty dollars (\$50). The commissioner may accept, in lieu of any part or all of an examination, the result of any previous written examination given by the commissioner,"

Insert: "membership in one or more of the following:"

21. Amend page 4, section 5, line 6.

Following: "actuaries"

Insert: ", or require the applicant to pass an examination"

22. Amend page 4, section 6, lines 9 and 10.

Following: "applicant"

Strike: "or any proposed sublicensee"

23. Amend page 5, section 7, lines 3 and 4.

Following: "insurance"

Strike: "agent or broker or as a"

24. Amend page 5, section 7, line 5.

Following: "fee"

Strike: ", commission or thing of value"

25. Amend page 5, section 8, line 16.

Following: "insurance"

Strike: "agent or broker or as a"

26. Amend page 5, section 8, lines 23 through 25, and page 6, lines 1 through 7.

Following: "months"

Insert: "."

Strike: Remainder of section 8, through and including line 7 on page 6.

27. Amend page 6, section 10, line 16.

Following: "capacity;"

Insert: "or"

28. Amend page 6, section 10, line 23.

Following: "services"

Strike: ".,"

Insert: ".,"

29. Amend page 6, section 9, subsection (3), lines 24 and 25, and page 7, lines 1 through 3.

Strike: subsection (3) in its entirety.

And as amended, do pass.

HARPER, Vice-Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration House Bill No. 474, respectfully report as follows: That House Bill No. 474 do pass.

HUENNEKENS, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 468, respectfully report as follows: That House Bill No. 468 do pass.

HUENNEKENS, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 471, respectfully report as follows: That House Bill No. 471 do pass.

HUENNEKENS, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do not pass.

GUNDERSON, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 550 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Sivertsen, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Shelden, Sloan. Total 7.

Absent or not voting: Fabrega, Gerke, Meloy, Schye, Scully. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 441 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing,

Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 80.

Noes: Driscoll, Kemmis, Mular, Richards. Total 4.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Shelden, Sloan. Total 7.

Absent or not voting: Ellison, Gerke, Holmes, Meloy, Robbins, Schye, Scully, Wood, Wyrick. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 653 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Lynch, Richards. Total 2.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Shelden, Sloan. Total 7.

Absent or not voting: Ellison, Gerke, Holmes. Total 3.

February 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 607, respectfully report as follows: That House Bill No. 607 do pass.

BRAND, Chairman

Report adopted.

MESSAGE FROM THE OTHER HOUSE

February 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 5, introduced by Regan, Greely

Senate Bill No. 150, introduced by Towe, Regan, Norman, et al

Senate Bill No. 215, introduced by Lynch, Roskie, Fasbender, et al

Senate Bill No. 230, introduced by Norman (by request of the Department of Revenue)

Senate Bill No. 243, introduced by Boylan, Seibel.

Respectfully yours,

John N. Hanson
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the Eighteenth Day and were assigned this day as follows:

House Bill No. 684, introduced by Wolfe, Palmer, Jacobsen, Underdal, Vincent, Bertelsen, Harper, Staigmiller, Driscoll, Teague, Kemmis, Brand, Manuel, Fagg, Williams, Helmbrecht, R. Baeth, Magone, Dassinger, Gunderson, Lester, Luebeck, Thomas, Dussault, Tropila, Halvorson, Finley, Meloy, Jack Moore, South, Sloan, Shelden, Hageman, Fleming, Federico, Johnson, James Moore, Ellis, Fishbaugh, Travis, Stoltz: A bill for an act entitled: "An act relating to eminent domain laws; providing a more fair and equitable method of treating the defendant property owner in such proceedings, amending Sections 93-9901, 93-9908, 93-9910, 93-9912, 93-9913, 93-9917, and 93-9920, R.C.M. 1947." Referred to Committee on Business and Industry.

House Joint Resolution No. 62, introduced by Richards, Johnson, Meloy: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the federal government's energy policy makers to consider the needs of the American people as well as the needs of energy supplying corporations. Referred to Committee on Business and Industry.

The following Senate bills were introduced, read first time and referred to committees:

Senate Bill No. 5, introduced by Regan, Greely: A bill for an act entitled: "An act to revise the marriage and dissolution of marriage laws of this state by adopting the provisions of the Uniform Marriage and Divorce Act as recommended by the National Conference of Commissioners on Uniform State Laws; amending Section 48-130, R.C.M. 1947; and repealing Sections 21-101 through 21-150, 48-101, 48-103 through 48-105, 48-111, 48-115, 48-116, 48-118.1, 48-119, 48-120, 48-122, 48-125, 48-127 through 48-129, 48-133, 48-142, 48-143, 48-145, 48-149, 48-150, 48-201 through 48-203, 48-206, and 48-207, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 150, introduced by Towe, Regan, Norman, Blaylock, Brown: A bill for an act entitled: "An act to permit the Public Service Commission to value public utility property at any level which does not exceed the original cost of the property less depreciation; amending Section 70-106, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 215, introduced by Lynch, Roskie, Fasbender, Dunkle, Towe, Greely: A bill for an act entitled: "An act to amend Sections 47-202, 47-204, 47-205, 47-214, and 47-215, R.C.M. 1947, being sections of the Montana Consumer Loan Act, permitting licenses thereunder to make loans not exceeding \$7,500." Referred to Committee on Business and Industry.

Senate Bill No. 230, introduced by Norman (by request of Department of Revenue): A bill for an act entitled: "An act to redefine cigarette vendors, and to define cigarette sub-jobbers; and to require licensing of ciga-

rette sub-jobbers and cigarette vendors; amending Sections 84-5606.2, 84-5606.3, 84-5606.5, and 84-5606.8, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 243, introduced by Boylan, Seibel: A bill for an act entitled: "An act to remove the county authority to invest school district funds under the provisions of Sections 16-2050 and 16-2618, R.C.M. 1947, and to prescribe the limitations for school district investments under Section 75-6806, R.C.M. 1947; amending Sections 16-2050, 16-2618, 75-6805, and 75-6806, R.C.M. 1947." Referred to Committee on Education.

MOTIONS

Jack Moore moved that House Bill No. 591 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Jack Moore moved that consideration of House Bill No. 546 now on Second Reading be postponed until a day certain, and that that day be the Thirty-eighth Legislative Day.

Motion carried.

Brand moved that House Bill No. 595 be rereferred from the Committee on Local Government to the Committee on State Administration.

Motion carried.

Brand moved that House Bill No. 616 be rereferred from the Committee on State Administration to the Committee on Appropriations.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Bertelsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 15, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 346 do pass. (83-1)

That House Bill No. 356 be amended as follows:

1. Amend title, line 7.

Following: "for"

Insert: "hospitals," (87-1)

And as amended, do pass. (84-5)

That House Bill No. 358 do pass. (92-0)

That House Bill No. 381 do pass. (92-1)

That House Bill No. 386 do pass. (83-4)

Shelden present at this time.

That House Bill No. 447 do pass. (72-18)

That House Bill No. 448 do pass. (75-11)

That House Bill No. 565 do pass. (91-0)

That House Bill No. 574 do pass. (76-13)

That House Bill No. 603 do pass. (65-32)

That Senate Amendments to House Joint Resolution No. 9 be concurred in. (77-11)

That the Committee rise and report.

BERTELSEN, Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 516, respectfully report as follows: That House Bill No. 516 be amended in the introduced bill as follows:

1. Amend page 6, section 1, subsection (10), lines 14 through 16.

Following: "[(\$8,149.50)]"

Strike: "ten thousand seven hundred seventy-seven dollars and seventy-seven cents (\$10,777.77)"

Insert: "ten thousand three hundred forty-six dollars (\$10,346)"

2. Amend page 6, section 1, subsection (11), lines 21 and 22.

Following: "[(\$8,149.50)]"

Strike: "ten thousand seven hundred seventy-seven dollars and seventy-seven cents (\$10,777.77)"

Insert: "ten thousand three hundred forty-six dollars (\$10,346)"

3. Amend page 6, section 1, subsection (11), lines 23 and 24.

Following: "[(\$314.50)]"

Strike: "four hundred fifty dollars and forty-two cents (\$450.42)"

Insert: "four hundred thirty-two dollars and forty cents (\$432.40)"

4. Amend page 7, section 1, subsection (12), lines 3 through 5.

Following: "[(\$10,972.00)]"

Strike: "fourteen thousand eight hundred thirty-one dollars and fifty-six cents (\$14,831.56)"

Insert: "fourteen thousand two hundred thirty-eight dollars (\$14,238)"

5. Amend page 7, section 1, subsection (12), lines 6 and 7.

Following: "[(\$402.50)]"

Strike: "four hundred fifty dollars and forty-two cents (\$450.42)"

Insert: "four hundred thirty-two dollars and forty cents (\$432.40)"

6. Amend page 7, section 1, subsection (13), lines 13 and 14.

Following: "[(\$18,272)]"

Strike: "twenty-three thousand six hundred seventy-nine dollars and sixty-eight cents (\$23,679.68)"

Insert: "twenty-two thousand seven hundred thirty-two dollars (\$22,732)"

7. Amend page 7, section 1, subsection (13), lines 15 and 16.

Following: "[(\$290.50)]"

Strike: "two hundred eighty-two dollars and eight cents (\$282.08)"

Insert: "two hundred seventy dollars and eighty cents (\$270.80)"

8. Amend page 7, section 1, subsection (14), lines 24 and 25.

Following: "[(\$680.50)]"

Strike: "one thousand forty-six dollars and forty-nine cents (\$1,046.49)"

Insert: "one thousand four dollars and sixty cents (\$1,004.60)"

9. Amend page 8, section 1, subsection (14), line 2.

Strike: "one dollar and two cents (\$1.02)"

Insert: "ninety-eight cents (\$.98)"

10. Amend page 8, section 1, subsection (14), lines 6 and 7.

Following: "[(\$654.50)]"

Strike: "nine hundred eighty-five dollars and forty-six cents (\$985.46)"

Insert: "nine hundred forty-six dollars (\$946)"

11. Amend page 8, section 1, subsection (14), lines 8 and 9.

Following: "[(\$.51)]"

Strike: "ninety-three cents (\$.93)"

Insert: "eighty-nine cents (\$.89)"

12. Amend page 8, section 1, subsection (14), lines 13 and 14.

Following: "[(\$551.50)]"

Strike: "seven hundred ninety-nine dollars and seventy-two cents (\$799.72)"

Insert: "seven hundred sixty-seven dollars and seventy cents (\$767.70)"

13. Amend pages 8 and 9, section 1, subsection (16), line 25 on page 8 through line 2 on page 9.

Following: "[(\$38,662)]"

Strike: "sixty-one thousand three hundred ninety-five dollars and fifty cents (\$61,395.50)"

Insert: "fifty-eight thousand nine hundred thirty-nine dollars (\$58,939)"

14. Amend page 9, section 1, subsection (17), lines 5 through 7.

Following: "[(\$1,610.75)]"

Strike: "two thousand five hundred fifty-eight dollars and fifteen cents (\$2,558.15)"

Insert: "two thousand four hundred fifty-six dollars (\$2,456)"

15. Amend page 9, section 1, subsection (17), lines 8 and 9.

Following: "[(\$9.75)]"

Strike: "thirteen dollars ninety-five cents (\$13.95)"

Insert: "thirteen dollars forty cents (\$13.40)"

16. Amend page 9, section 1, subsection (17), lines 13 and 14.

Following: "[(\$1,454.75)]"

Strike: "two thousand three hundred thirty-four dollars and ninety cents (\$2,334.90)"

Insert: "two thousand two hundred forty-one dollars and fifty cents (\$2,241.50)"

17. Amend page 9, section 1, subsection (17), line 16.

Strike: "thirteen dollars and ninety-five cents (\$13.95)"

Insert: "thirteen dollars and forty cents (\$13.40)"

18. Amend page 9, section 1, subsection (17), lines 20 through 22.

Following: "[(\$1,057.75)]"

Strike: "one thousand four hundred ninety-seven dollars and seventy-three cents (\$1,497.73)"

Insert: "one thousand four hundred thirty-eight dollars (\$1,438)"

19. Amend page 9, section 1, subsection (17), lines 23 and 24.

Following: "[(\$2.15)]"

Strike: "two dollars and thirty-three cents (\$2.33)"

Insert: "two dollars and twenty-five cents (\$2.25)"

20. Amend page 10, section 1, subsection (17), lines 3 and 4.

Following: "[(\$842.75)]"

Strike: "one thousand two hundred sixty-four dollars and thirty-two cents (\$1,264.32)"

Insert: "one thousand two hundred fourteen dollars (\$1,214)"

21. Amend page 10, section 1, subsection (17), lines 5 and 6.

Following: "[(\$49)]"

Strike: "one dollar and twenty-eight cents (\$1.28)"

Insert: "one dollar and twenty-five cents (\$1.25)"

22. Amend page 10, section 1, subsection (17), lines 10 and 11.

Following: "[(\$794.75)]"

Strike: "one thousand one hundred thirty-six dollars and two cents (\$1,136.02)"

Insert: "one thousand ninety dollars and fifty cents (\$1,090.50)"

23. Amend page 10, section 1, subsection (17), line 12.

Following: "[(\$13)]"

Strike: "twenty-four cents (\$.24)"

Insert: "twenty-five cents (\$.25)"

24. Amend page 10, section 1, subsection (17), lines 16 and 17.

Following: "[(\$756.75)]"

Strike: "one thousand sixty-five dollars and twenty-four cents (\$1,065.24)"

Insert: "one thousand twenty-two dollars and sixty cents (\$1,022.60)"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 6.

Following: "districts"

Strike: "or Indian non-profit corporations"

2. Amend page 2, whereas segment (1), lines 16 through 19.

Strike: whereas (10) segment in its entirety.

Renumber: subsequent whereas segment.

3. Amend page 3, section 1, lines 6 and 7.

Following: "districts"

Strike: "or by Indian non-profit corporations"

4. Amend page 3, section 1, lines 8 through 12.

Following: "Montana"

Strike: ", is established for the purpose of implementing Article X, section 1 of the Montana constitution which commits the state in its educational goals to the preservation of the Indian cultural integrity"

5. Amend page 3, section 2, subsection (3), lines 21 through 25.

Strike: subsection (3) in its entirety.

6. Amend page 4, section 3, line 2.

Following: "districts"

Strike: "and non-profit corporations"

7. Amend page 4, section 3, subsection (1), line 6.

Strike: subsection (1) in its entirety.

Renumber: subsequent subsections.

8. Amend page 4, section 3, subsections (4), (5), and (6), lines 9 through 11.

Strike: subsections (4), (5), and (6), in their entirety.

Renumber: subsequent subsections.

9. Amend page 4, section 3, subsection (8), lines 13 and 14.

Strike: subsection (8) in its entirety.

10. Amend page 4, section 4, line 18.

Strike: "or non-profit Indian corporations"

11. Amend page 4, section 4, subsection (2), line 22.

Following: "(2)"

Strike: "If the"

Insert: "The"

12. Amend page 4, section 4, subsection (2), line 22.

Following: "district"

Insert: "may if it"

13. Amend page 4, section 4, subsection (2), lines 23 and 24.

Following: "trustees"

Strike: "then the school district shall"

14. Amend page 5, section 4, subsection (2), lines 2 and 3.

Following: "committee"

Strike: ", or the board of trustees if a majority of the trustees are Indians,"

15. Amend page 5, section 4, subsection (3), line 5.

Following: "distributed"

Strike: "annually"

16. Amend page 5, section 4, subsection (3), line 6.

Following: "districts"

Strike: "or non-profit Indian corporations"

17. Amend page 5, section 4, subsection (4), line 11.

Strike: "shall"

Insert: "may"

18. Amend page 5, section 4, subsection (4), line 11.

Following: "to"

Strike: "administer"

Insert: "assist in the administration of"

19. Amend page 5, section 4, subsection (4), lines 12 through 15.

Following: "programs"

Strike: ", assist local school districts with establishing programs, provide technical assistance as needed, and provide each legislature with a progress report including an audit"

20. Amend page 5, following line 15.

Insert: a new section 5 to read as follows:

"Section 5. This act is repealed on July 1, 1976."

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 14, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Following: "gas"

Insert: "and amending Section 84-1847, R.C.M. 1947, to increase the tax levied on gasoline;"

2. Amend title, page 1, line 8.

Following: "gas"

Insert: "and gasoline"

3. Amend page 5, following line 18.

Insert: a new section

"Section 3. Section 84-1847, R.C.M. 1947, is amended to read as follows: '84-1847. Gasoline license tax — amount. Every distributor shall pay to the state department of revenue a license tax for the privilege of engaging in and carrying on business in this state in an amount equal to one cent (1¢) for each gallon of aviation gasoline, which shall be allocated to the aeronautics commission, as provided by section 1-501, R.C.M. 1947, as amended, and [seven cents (7¢)] eight cents (8¢) for each gallon of all other gasoline distributed by him within the state and upon which the gasoline license tax has not been paid by any other distributor. Gasoline exported or sold for export out of the state of Montana shall not be included in the measure of the distributor's license tax.'"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

YARDLEY, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 631, respectfully report as follows: That House Bill No. 631 do pass.

BRADLEY, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 579, respectfully report as follows: That House Bill No. 579 be amended in the introduced bill as follows:

1. Amend on page 1, lines 9 to 15.

Strike: this material in its entirety.

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154 be amended in the introduced bill as follows:

1. Amend page 7, section 5, subsection (2), line 20.

Following: "members"

Strike: "who"

Insert: ", four (4) of whom"

2. Amend page 8, section 5, subsection (3), line 6.

Following: "to be"

Strike: "either"

Insert: "a public member who is a consumer of speech pathology or audiology services and who is not a licentiate of the board or of any other board within the department"

3. Amend page 23, section 15, subsection (9), line 22.

Following: "examined"

Insert: "in a civil action"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 174, 324, 468, 471, 474, 598, 607, 631.

QUILICI, Chairman

MESSAGES FROM THE OTHER HOUSE

February 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 9.

The President appointed the following members:

Senator Regan, Chairman

Senator Roberts

Senator Rosell.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, titles and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 22, introduced by William Baeth

House Bill No. 41, introduced by Lynch, Quilici, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

THIRD READING OF BILLS

The following bills having been read three several times, titles and history agreed to, were disposed of in the following manner:

House Bill No. 133 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Meloy, Menahan, Mercer, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, South, Staigmillier, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 79.

Noes: Day, Ellison, Kvaalen, Marks, Smith, Wood, Wyrick. Total 7.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Conroy, Lynch, Manuel, Jack Moore, Mular, Quilici, Stoltz, Yardley. Total 8.

House Bill No. 175 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 85.

Noes: Ellison, Lockrem, Schye. Total 3.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Conroy, Jack Moore, Mular, Palmer, Smith, Yardley. Total 6.

House Bill No. 247 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, John-

son, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 78.

Noes: Ellison, Guthrie, Hager, Huennekens, Kropp, Lockrem, Marks, Mercer, Schye, Underdal, Wood, Wyrick. Total 12.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Conroy, Halvorson, Mular, Yardley. Total 4.

House Bill No. 268 failed by the following vote:

Ayes: C. R. Anderson, Babcock, Bardanouve, Bengtson, Bradley, Conroy, Driscoll, Dussault, Ellerd, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Hageman, Helmbrecht, Holmes, Huennekens, Johnson, Kemmis, Kimble, Kummerfeldt, Lester, Lory, McFadden, Meloy, Jack Moore, Murphy, Palmer, Richards, Robbins, Scully, Shelden, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 46.

Noes: Aageson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Casey, Day, Ellis, Ellison, Fabrega, Finley, Gould, Gwynn, Hager, Harper, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kendall, Kropp, Kvaalen, Lien, Lockrem, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Mular, O'Connell, Quilici, Rasmussen, Seifert, Sivertsen, Smith, Staigmiller, Tropila, Underdal, Wood. Total 47.

Paired: Fagg, Gerke, Meloy, Ayes; Lund, Mular, Seifert, Noes.

Excused: Dassinger, Kelly, James Moore, Sloan. Total 4.

Absent or not voting: Halvorson, Schye, Yardley. Total 3.

House Bill No. 287 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 90.

Noes: None.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: J. Anderson, Herlevi, Mular, Yardley. Total 4.

House Bill No. 307 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn,

Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 83.

Noes: Aageson, Bertelsen, Hager, Marks, Sivertsen. Total 5.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Fagg, Jack Moore, Mular, Palmer, Wood, Yardley. Total 6.

House Bill No. 326 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 90.

Noes: None.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Kendall, Mular, Palmer, Yardley. Total 4.

House Bill No. 354 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Sivertsen, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 75.

Noes: Asher, W. Baeth, Brand, Day, Ellerd, Ellison, Fishbaugh, Guthrie, Hager, Lockrem, Marks, Mercer, Rasmussen, Shelden, Smith, Underdal, Wyrick. Total 17.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Mular, Yardley. Total 2.

House Bill No. 401 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand,

Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 91.

Noes: None.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Mular, Underdal, Yardley. Total 3.

House Bill No. 484 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 91.

Noes: None.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Mular, Quilici, Yardley. Total 3.

House Bill No. 485 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 90.

Noes: Schye. Total 1.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Day, Mular, Yardley. Total 3.

House Bill No. 530 passed by the following vote:

C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 74.

Noes: Aageson, Asher, Babcock, Barrett, Fabrega, Guthrie, Hager, Helmbrecht, Hubing, Kropp, Lockrem, Mercer, Jack Moore, Sivertsen, Tropila, Wyrick. Total 16.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Ellison, Mular, Wood, Yardley. Total 4.

House Bill No. 661 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 80.

Noes: Bertelsen, Casey, Guthrie, Hubing, Kropp, Lockrem, Marks, Smith. Total 8.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Babcock, Ellison, Finley, Meloy, Mular, Yardley. Total 6.

House Joint Resolution No. 28 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 90.

Noes: None.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Finley, Mular, Wood, Yardley. Total 4.

House Joint Resolution No. 32 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 89.

Noes: None.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Finley, Mular, Richards, Wood, Yardley. Total 5.

Senate Bill No. 132 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 89.

Noes: Bardanouve, Brand. Total 2.

Excused: Dassinger, Kelly, Lund, James Moore, Seifert, Sloan. Total 6.

Absent or not voting: Mular, Travis, Yardley. Total 3.

REPORTS OF STANDING COMMITTEES

February 15, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 664, respectfully report as follows: That House Bill No. 664 be amended in the introduced copy as follows:

1. Amend page 2, section 1, subsection (2), lines 15 through 21.

Following: "lands."

Strike: This material in its entirety.

2. Amend on page 2, section 1, following line 21.

Insert: Three new subsections as follows:

"(3) Two willful or six non-willful noncompliances or violations of this act shall result in the suspension of all operations by an operator for not less than fifteen (15) days nor more than one hundred eighty (180) days.

(4) The department shall suspend, revoke or refuse to grant a permit to an operator who has committed twelve (12) non-willful violations or noncompliances of this act.

(5) An operator who has been found guilty of four (4) willful violations of this act is not eligible to receive a permit under this act for a new strip mine as defined in section 50-1603, R.C.M. 1947."

3. Amend on page 3, section 2, subsection (1), lines 2 and 3.

Following: "less than"

Strike: "one hundred dollars (\$100)"

Insert: "two hundred fifty dollars (\$250)"

4. Amend page 3, section 2, subsection (1), lines 3 and 4.

Following: "more than"

Strike: "one thousand dollars (\$1,000)"

Insert: "two thousand five hundred dollars (\$2,500)"

5. Amend page 3, section 2, subsection (1), line 5.

Following: "less than"

Strike: "one hundred dollars (\$100)"

Insert: "two hundred fifty dollars (\$250)"

6. Amend page 3, section 2, subsection (1), line 6.

Strike: "one thousand dollars (\$1,000)"

Insert: "two thousand five hundred dollars (\$2,500)"

7. Amend page 3, section 2, subsection (3), lines 23 and 24.

Following: "less than"

Strike: "five hundred dollars (\$500)"

Insert: "one thousand dollars (\$1,000)"

8. Amend page 3, section 2, subsection (3), lines 24 and 25.

Following: "more than"

Strike: "five thousand dollars (\$5,000)"

Insert: "ten thousand dollars (\$10,000)"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

MOTIONS

Fagg moved that the House reconsider its action taken on Third Reading this day on House Bill No. 268. Fagg requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, Bardanouve, Bengtson, Bradley, Conroy, Driscoll, Dussault, Ellerd, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Halvorson, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kemmis, Kimble, Kummerfeldt, Lester, Lory, McFadden, Manuel, Meloy, James Moore, Murphy, O'Connell, Palmer, Richards, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker: Total 51.

Noes: Aageson, Asher, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Casey, Ellis, Ellison, Fabrega, Finley, Gould, Hager, Harper, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kropp, Kvaalen, Lien, Lockrem, Luebeck, Lund, Lynch, Magone, Marks, Menahan, Mercer, Jack Moore, Mular, Quilici, Rasmussen, Schye, Seifert, Sivertsen, Smith, Staigmiller, Tropila, Underdal, Wood. Total 44.

Paired: Fagg, Gerke, Huennekens, Meloy, James Moore, Sloan, Ayes; Barrett, Finley, Kelly, Lund, Mular, Seifert, Noes.

Excused: Dassinger. Total 1.

Absent or not voting: Day, Gwynn, Hageman, Yardley. Total 4.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 268 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, Bardanouve, Bengtson, Bradley, Conroy, Driscoll, Dussault, Ellerd, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Hageman, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kemmis, Kimble, Kummerfeldt, Lester, Lory, McFadden, Manuel, Meloy, James Moore, Murphy, O'Connell, Palmer, Richards, Robbins, Scully, Sheldon, Sloan, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 51.

Noes: Aageson, Asher, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Casey, Ellison, Fabrega, Finley, Gould, Hager, Harper, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kropp, Kvaalen, Lien, Lockrem, Luebeck, Lund, Lynch, Magone, Marks, Menahan, Mercer, Jack Moore, Mular, Quilici, Rasmussen, Schye, Seifert, Sivertsen, Smith, Staigmiller, Trepila, Underdal, Wood. Total 43.

Paired: Fagg, Gerke, Huennekens, Meloy, James Moore, Sloan, Ayes; Barrett, Finley, Kelly, Lund, Mular, Seifert, Noes.

Excused: Dassinger. Total 1.

Absent or not voting: Day, Ellis, Gwynn, Halvorson, Yardley. Total 5.

Driscoll moved that the House adjourn until 1:30 p.m., February 17, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 17, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Lory and Seifert, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 15, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 419, 420.

QUILICI, Chairman

February 17, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 447, 574, 603.

QUILICI, Chairman

February 15, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 346, 358, 381, 386, 448, 565.

QUILICI, Chairman

February 17, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the 44th Session at the beginning of business February 17, 1975:

Jan Marie Milensnick	Page
Mike Burgard.....	Page
Jon M. Finley	Page
Pamela Higbee.....	Page
Marian K. Labelle	Page
Penny Mc Comb	Page

At the close of business, February 11, 1975, the following also be terminated:

Jan Frankino	Page
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Do pass.

LYNCH, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 do not pass.

HALVORSON, Vice-Chairman

MESSAGE FROM THE OTHER HOUSE

February 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 93, introduced by Turnage, Towe, Mathers, et al

Senate Bill No. 168, introduced by Lee, Healy, Mehrens, et al

Senate Bill No. 251, introduced by Dunkle, by request of the Department of Justice

Senate Bill No. 252, introduced by Dunkle, by request of the Department of Justice

Senate Bill No. 253, introduced by Dunkle, by request of the Department of Justice

Senate Bill No. 254, introduced by Dunkle, by request of the Department of Justice

Senate Bill No. 264, introduced by McCallum, Kolstad, Graham, et al

Senate Bill No. 304, introduced by Healy, Mehrens

Senate Bill No. 358, introduced by Romney

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Day moved that consideration of House Bill No. 631 now on Second Reading be passed this legislative day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 685, introduced by Murphy, Tropila, Travis: A bill for an act entitled: "An act appropriating one hundred fifty thousand dollars from the General Fund to the Department of Institutions for the biennium ending June 30, 1977, to fund the office of patients' attorney created by H. B. 640." Referred to Committee on Appropriations.

House Bill No. 686, introduced by Murphy: A bill for an act entitled:

"An act appropriating eight hundred thousand dollars from the General Fund to the Department of Fish and Game for the biennium ending June 30, 1977, for contributions to local government outdoor recreation projects." Referred to Committee on Appropriations.

House Bill No. 687, introduced by McKittrick, Vincent, Yardley, Halvorson, Quilici, Jack Moore, McFadden, Gilligan, Meloy, Thomas, Finley, Gunderson, James Moore, Mular, O'Connell, Menahan, Driscoll, Murphy, Travis, Harper, Mercer, Guthrie, Wyrick, Gerke, Williams, Federico, Johnston: A bill for an act entitled: "An act to appropriate funds for the establishment of a full-time motion picture location unit." Referred to Committee on Appropriations.

Senate Bill No. 93, introduced by Turnage, Towe, Mathers, Norman, Manning, McOmber, Brown, Watt, Healy: A bill for an act entitled: "An act to revise tax appeals procedures by providing for the reception of additional evidence on judicial review, the assessment of costs on certain appeals, and interlocutory adjudications; amending Section 84-709.1, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 168, introduced by Lee, Healy, Mehrens, Lynch, Murphy, Fasbender, Flynn, Hazelbaker, Turnage: A bill for an act entitled: "An act to permit physically and mentally handicapped persons to acquire a fishing license for a nominal fee; amending Section 26-202.1, R.C.M. 1947." Referred to Committee on Fish and Game.

Senate Bill No. 251, introduced by Dunkle (by request of Department of Justice): A bill for an act entitled: "An act to amend Section 31-105, R.C.M. 1947, redefining the rank structure of the Montana Highway Patrol." Referred to Committee on Appropriations.

Senate Bill No. 252, introduced by Dunkle (by request of Department of Justice): A bill for an act entitled: "An act to amend Section 31-134, R.C.M. 1947, providing for examination of applicants for motorcycle endorsement and providing for issuance of classified chauffeurs' licenses without examination to holders of valid chauffeurs' licenses and providing for an effective date." Referred to Committee on Highways and Transportation.

Senate Bill No. 253, introduced by Dunkle (by request of Department of Justice): A bill for an act entitled: "An act to amend Section 31-135, R.C.M. 1947, providing that operator and chauffeur licenses shall not be valid for operation of motorcycles unless endorsed and providing the fee for such endorsement and providing for an effective date." Referred to Committee on Highways and Transportation.

Senate Bill No. 254, introduced by Dunkle (by request of Department of Justice): A bill for an act entitled: "An act to amend Section 31-120, R.C.M. 1947, providing for the classification of drivers' licenses according to the size of vehicle driven by revising the definition of operator and chauffeur; and providing an effective date." Referred to Committee on Highways and Transportation.

Senate Bill No. 264, introduced by McCallum, Kolstad, Graham, Hazelbaker, Thiessen: A bill for an act entitled: "An act authorizing a Board of County Commissioners to classify and manage county owned lands and to retain, lease, or dispose of interests in such lands; repealing Sections 84-4193, 84-4194, and 84-4198, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 304, introduced by Healy, Mehrens: A bill for an act entitled: "An act amending fire extinguisher requirements; amending

Section 69-1807, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 358, introduced by Romney: A bill for an act entitled: "An to provide for the management of the bobcat as a game animal; amending Sections 26-201, 26-201.1, 26-301, 26-303.5, 26-307, 46-1902, and 46-1903, R.C.M. 1947." Referred to Committee on Fish and Game.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Helmbrecht in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 17, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 125 do pass. (95-0)

That House Bill No. 174 be amended as follows:

1. Amend title, page 1, line 5.

Following: "who"

Insert: "begin"

2. Amend title, page 1, line 6.

Strike: "cities or towns with less than 10,000 population."

Insert: "counties with a shortage of physicians and dentists." (89-1)

And be further amended:

3. Amend page 1, line 9, section 1.

Strike: all material following enacting clause.

Insert: "Section 1. Definition of terms: (1) 'Montana counties with a shortage of physicians' means those counties with a patient/doctor ratio of one to three thousand (1-3,000) or more as certified by the Montana board of medical doctors.

(2) 'Montana counties with a shortage of dentists' means those counties with a patient/dentist ratio of one to five thousand (1-5,000) or more as certified by the Montana board of dentistry.

(3) 'Doctors and dentists who begin practice' means those doctors or dentists, licensed under the laws of Montana who establish a residence and practice with the intention of remaining five (5) years in a Montana county after July 1, 1975, and are certified by the Montana department of revenue.

(4) 'Residence and practice of a doctor or dentist' means that a doctor or dentist have lived and practiced within the county for a period of at least a full calendar year.

Section 2. Upon application to the department of revenue a doctor or dentist meeting the requirements of this act may elect to take the applicable income tax credit on Montana's title income taxes paid beginning in 1977.

Section 3. The income tax credit allowed under this act shall be:

- (a) Eighty percent (80%) of the state income tax due for the first year of residence.
- (b) Sixty percent (60%) of the state income tax due for the second year of residence.
- (c) Forty percent (40%) of the state income tax due for the third year of residence.
- (d) Twenty percent (20%) of the state income tax due for the fourth year of residence.
- (e) Ten percent (10%) of the state income tax due for the fifth year of residence.

Section 4. The effective date of this act shall be July 1, 1975."

And be further amended:

4. Amend the Committee of the Whole amendments.
Strike: section 4. (94-0)

And be further amended:

5. Amend the Committee of the Whole Amendments.

Strike: section 2.

Insert: a new section 2 as follows:

"Section 2. Doctors and dentists who begin practice in Montana counties with a shortage of physicians or dentists may, upon application to the department of revenue, elect to take the applicable income tax credit on Montana income taxes paid beginning in 1977 under section 3 of this act." (86-5)

And as amended, do not pass. (46-45)

That House Bill No. 338 do pass. (86-4)

That House Bill No. 357 do pass. (88-0)

That House Bill No. 393 do pass. (89-0)

That House Bill No. 419 do pass. (88-0)

That House Bill No. 420 do pass. (76-13)

That House Bill No. 468 do pass. (71-25)

Wood excused at this time.

That House Bill No. 471 do pass. (75-19)

That House Bill No. 474 do pass. (90-0)

That House Bill No. 480 be amended as follows:

1. Amend the title, page 1, lines 8 and 9.

Following: "office;"

Strike: "to provide for disqualification for conflicts of interest:" (84-0)

And be further amended:

2. Amend section 1, subsection (6), page 2, lines 19 and 20.

Strike: lines 19 and 20. (61-28)

And as amended, do pass. (71-21)

That House Bill No. 598 be amended as follows:

1. Amend title, page 1, line 7.

Following: "benefits"

Insert: "and for retired federal personnel" (69-10)

And be further amended:

2. Amend page 7, section 1, subsection (3) (g), line 4.

Following: "disqualification"

Insert: "does not apply to retired federal personnel, and" (68-8)

And as amended, do pass. (61-31)

That House Bill No. 607 do pass. (79-9)

That House Bill No. 638 do pass. (83-5)

That House Joint Resolution No. 48 do pass. (84-3)

That the Committee rise and report.

HELMBRECHT, Chairman

Murphy moved that House Bill No. 174 be segregated from the Committee of the Whole report.

Motion carried.

Kvaalen moved that House Bill No. 420 be segregated from the Committee of the Whole report.

Motion failed.

Bradley moved that House Bill No. 468 be segregated from the Committee of the Whole report, and as amended be adopted.

Motion failed.

Meloy moved that the Committee of the Whole report be adopted, as amended.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 17, 1975

Mr. Speaker: The Committee on Bills report the following bill correctly engrossed: House Bill No. 356.

QUILICI, Chairman

February 17, 1975

Mr. Speaker: The Committee on Bills report the following bill correctly printed: House Bill No. 579.

QUILICI, Chairman

February 17, 1975

I have examined House Bill No. 31 introduced by me and find the same to be correct.

MELOY

February 17, 1975

I have examined House Bill No. 142 introduced by me and find the same to be correct.

LYNCH

February 17, 1975

The following bills will be signed on adjournment on February 17, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 31, 142.

Edwin A. Smith, Chief Clerk
House of Representatives

February 17, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 71.

QUILICI, Chairman

February 17, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 31, 142.

QUILICI, Chairman

February 17, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 68, respectfully report as follows: That Senate Bill No. 68 be amended in the third reading bill as follows:

1. Amend page 1, section 1, line 22.

Following: "prior"

Insert: "two days posted"

And as amended, be concurred in.

GERKE, Chairman

Report adopted.

February 17, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 469, respectfully report as follows: That House Bill No. 469 be amended in the introduced bill as follows:

1. Amend page 35, section 24, subsection (1), line 9.

Following: "case"

Strike: "shall be followed"

2. Amend page 53, section 42, subsection (1), line 13.

Following: "closed,"

Insert: "shall be"

3. Amend page 92, section 72, subsection (8), line 13.

Following: "a"

Strike: "pro rata"

4. Amend page 160, section 108, subsection (2), line 25.

Following: "department"

Insert: "or board"

5. Amend page 249, section 188, line 11.

Following: "sections"

Strike: "190, 190A, 191, 192, 193, and 193A"

Insert: "182, 183, 184, 185, 186, and 187"

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 17, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368 be amended in the introduced bill as follows:

1. Amend the title, line 6, page 1.

Following: "1947"

Insert: "; and providing an immediate effective date"

2. Amend page 1, section 1, line 16.

Strike: "processors"

Insert: "distributors, contract haulers, and others"

3. Amend page 4, following line 24.

Insert: new sections 2 and 3 as follows.

"Section 2. Intent of act. It is the intent of this act to place jurisdiction over milk hauling rates from farm to plant in the department of business regulation and jurisdiction over ranch rates among plants in the board of milk control.

Section 3. This act is effective on its passage and approval."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 17, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 be amended in the introduced bill as follows:

1. Amend page 1, the title, line 5.

Following: "to a"

Insert: "residential"

2. Amend page 2, section 1, line 12.

Following: "to a"

Insert: "residential"

3. Amend page 2, section 1, line 14.

Following: "utility"

Insert: ", providing that the hearing is held within twenty (20) days unless further delayed by consent of all parties"

4. Amend page 4, section 2, subsection (5), line 6.

Following: "of the"

Strike: "[utility and transportation]"

Insert: "utility and transportation"

5. Amend page 4, section 2, subsection (5), line 8.

Following: "thereof"

Insert: "including review of decisions rendered by, or failure to act by the commission and applications for restraining orders pending the investigation of and decision upon a matter by the commission, pursuant to section 93-4215."

6. Amend page 4, section 2, subsection (5), lines 10 through 14.
Strike: sub-subsections (a) and (b) in their entirety.

7. Amend page 5, section 3, subsection (2), line 18.
Following: "investigation"
Insert: "relating to continuation or interruption of service"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 372, respectfully report as follows: That House Bill No. 372 be amended in the introduced bill as follows:

1. Amend title, page 1, line 7.

Following: "appointed,"

Insert: "amending sections 91-4415 and 91-4418, R.C.M. 1947, relating to the payment of inheritance taxes;"

2. Amend title, page 1, line 7.

Following: "repealing"

Strike: "section"

Insert: "sections"

3. Amend title, page 1, line 8.

Following: "91A-3-1205,"

Insert: "and 91-4460 through 91-4467,"

4. Amend page 4, section 1, subsection (6), following line 10.

Insert: new sections 2 and 3 as follows:

"Section 2. Section 91-4415, R.C.M. 1947, is amended to read as follows:

'91-4415. (10400.5) When payment due — lien of tax — liability for payment — place of payment — receipts — receipt or bond required before final accounting allowed. All taxes imposed by this act shall be due and payable at the time of the death of the decedent, except as hereinafter provided; and every such tax shall be and remain a lien upon the property transferred for a period of ten (10) years from the time of the death of the decedent, whether said death occurred before or after the effective date of this act, unless sooner paid, and the person to whom the property is transferred and the administrators, executors, and trustees of every estate so transferred shall be personally liable for such tax until its payment.

The tax shall be paid to the state department of revenue for transmittal to the state treasurer or to the treasurer of the county in which the district court is situated having jurisdiction as herein provided or to the treasurer of the county of residence of the decedent if a court proceeding is not involved, and if paid to the county treasurer said treasurer shall receipt therefor, making five copies thereof, and distribute said copies as follows: original receipt, to the clerk of the district court; first copy, to the executor, administrator, trustee, or person paying said tax; second copy attached to and mailed with the report required by section 91-4450, as amended, to the state department of revenue; third copy, to the county clerk and recorder; fourth copy, retained by the treasurer

on file in his office. The copy of the receipt given to the executor, administrator, or trustee shall be a proper voucher in the settlement of his accounts.

No executor, administrator, or trustee shall be entitled to a final accounting of an estate, in settlement of which a tax is due under the provisions of this act, unless he shall produce such receipt or a certified copy thereof or unless a bond shall have been filed as prescribed by section 91-4419.'

Section 3. Section 91-4418, R.C.M. 1947, is amended to read as follows:

'91-4418. (10400.8) Refunding of tax — when authorized — manner of refunding — advance payment of tax for relief from penalty and interest. If any debt shall be proved against the estate of the decedent, after the payment of any legacy or distributive share thereof, from which any such tax has been deducted, or upon which it has been paid by the person entitled to such legacy or distributive share and such person is required by the order of the district court having jurisdiction of the tax so deducted or paid, to refund the amount of such debts or any part thereof, an equitable proportion thereof shall be repaid to such person by the executor, administrator or trustee, if the said tax has not been paid to the county treasurer or state treasurer, or by them, in the proper proportionate shares, if it has been so paid.

Any person from whom such tax is or may be due may make an estimate of and pay the same to the [clerk of court] county treasurer, who shall receipt therefor, at any time before the same is determined by the [court] department of revenue, and shall thereupon be relieved from any interest or penalty upon the amount so paid in the same manner as if the tax were then determined. In the event the person making payment has done so in accordance with the provisions of section 91-4416, pertaining to the allowance of a five per cent (5%) discount, (the person making payment shall be relieved from any interest or penalty and shall be allowed the five per cent (5%) discount) upon the amount which he so declared due as his inheritance tax liability. The tax may be declared to be due by the [filing with the clerk of court of a statement of such declaration or by] paying the amount estimated by the taxpayer to [be due] the county treasurer. The money shall be paid to the [clerk of the district court] county treasurer who must deposit same with the state department of revenue. The [clerk of the district court] county treasurer shall pay the collections to the state department of revenue on or before the fifth day of the month following the collection.

As soon as the correct amount of inheritance tax has been determined, any excess so paid shall be refunded to the person so paying or entitled thereto by the state department of revenue [, based upon the filing of a properly documented claim by the clerk of court]."

Renumber: subsequent section.

5. Amend page 4, line 11.

Following: "Section 4."

Strike: "Section"

Insert: "Sections"

6. Amend page 4, line 11.

Following: "91A-3-1205,"

Insert: "and 91-4460 through 91-4467,"

7. Amend page 4, line 11.

Following: "1947,"

Insert: "are"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 22.

Strike: "operations under an"

Insert: "seismic exploration, location, spacing, drilling, equipping, producing, or other operation related to"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 be amended in the introduced bill as follows:

1. Amend page 2, section 1, following subsection (4), line 9.

Insert: a new subsection (5) as follows:

"The provisions of this act shall not apply to fork-lifts, front-end and rear-end loaders."

2. Amend page 6, section 7, lines 5 through 18.

Following: "69-1607."

Strike: the remainder of this section in its entirety.

Insert: "Penalty for operating machinery without license. Every person who operates any of the engines and machinery named in section 69-1601 for which a license is required, without first obtaining a license as required by the provisions of this act, and every owner, employer, or manager of any such engines or machinery who permits any unlicensed person to operate the same, or any person who violates any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1000), or by imprisonment in the county jail not more than six (6) months, or by both such fine and imprisonment."

3. Amend page 6, section 8, line 22.

Strike: "under this act at the time of its"

Insert: "on the"

4. Amend page 6, section 8, line 22.

Following: "date"

Insert: "of this act"

5. Amend page 6, section 8, line 23.

Following: "it for"

Strike: "one (1) year"

Insert: "two (2) years"

6. Amend page 6, section 8, line 25.

Following: "new licenses"

Insert: ", renewal licenses"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 412, respectfully report as follows: That House Bill No. 412 do pass.

HUENNEKENS, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 397, respectfully report as follows: That House Bill No. 397 do pass.

HUENNEKENS, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do pass.

HUENNEKENS, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 do pass.

HUENNEKENS, Chairman

Report adopted.

February 17, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 518, respectfully report as follows: That House Bill No. 518 do pass.

SHELDEN, Chairman

Report adopted.

February 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do pass.

KIMBLE, Chairman

Report adopted.

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 do not pass.

HUENNEKENS, Chairman

February 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 do not pass.

HUENNEKENS, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 479 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Barrett, Dassinger, Lockrem, Marks, Mercer, Schye. Total 6.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Ellison, Federico, Gould, Gunderson, Kropp, Luebeck, Palmer. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 240 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico, Holmes, Huennekens. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 18 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Gunderson, Harper. Total 2.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Bradley, Ellison, Federico, Huennekens, Travis. Total 5.

MESSAGE FROM THE OTHER HOUSE

February 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 232, introduced by Johnson

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Murphy moved that House Bill No. 174 be taken from Second Reading and be rereferred to the Committee on the Judiciary.

Motion carried.

James Moore moved that House Bill No. 676 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Labor and Employment Relations.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 309 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien,

Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Mercer, Schye, Smith. Total 3.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico, Huennekens, Marks. Total 3.

House Bill No. 336 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico, Travis. Total 2.

House Bill No. 346 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Huennekens, Kropp, Smith. Total 3.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico. Total 1.

House Bill No. 358 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston,

Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico. Total 1.

House Bill No. 381 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico. Total 1.

House Bill No. 386 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wyrick, Mr. Speaker. Total 87.

Noes: Fishbaugh, Gunderson, Hager, Huennekens, Lockrem, Yardley. Total 6.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Babcock, Federico, Wolfe. Total 3.

House Bill No. 448 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman,

Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 86.

Noes: Babcock, Barrett, Ellison, Kropp, Kvaalen, Marks, Smith, Wyrick, Yardley. Total 9.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico. Total 1.

House Bill No. 491 passed by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Dassinger, Day, Driscoll, Dussault, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 69.

Noes: Aageson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Conroy, Ellerd, Ellis, Ellison, Fabrega, Hager, Hubing, Johnston, Kropp, Lund, Mercer, Jack Moore, Mular, Schye, Sivertsen, Smith, Underdal, Wyrick. Total 25.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico, Palmer. Total 2.

House Bill No. 512 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 80.

Noes: Asher, Casey, Day, Driscoll, Guthrie, Gwynn, Kvaalen, Marks, Richards, Robbins, Travis, Tropila, Wyrick, Yardley. Total 14.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico, Kropp. Total 2.

House Bill No. 532 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy,

Dassinger, Day, Dussault, Ellis, Fagg, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Helmbrecht, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Tropila, Williams, Yardley, Mr. Speaker. Total 70.

Noes: Bertelsen, Driscoll, Ellerd, Fabrega, Fishbaugh, Gwynn, Harper, Herlevi, Holmes, Huennekens, Johnson, Kemmis, Kropp, McFadden, Jack Moore, Richards, Smith, Underdal, Vincent, Wolfe, Wyrick. Total 21.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Ellison, Federico, Palmer, Staigmilller, Travis. Total 5.

House Bill No. 565 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Federico, Halvorson. Total 2.

House Bill No. 635 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Johnston. Total 1.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Ellison, Federico, Travis. Total 3.

House Joint Resolution No. 36 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 79.

Noes: Aageson, Babcock, Casey, Fagg, Hager, Herlevi, Holmes, Kropp, Lockrem, Lund, Mercer, Sivertsen, Smith, Wyrick, Yardley. Total 15.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Bengtson, Federico. Total 2.

House Joint Resolution No. 49 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 92.

Noes: Driscoll, Rasmussen, Smith, Yardley. Total 4.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: None.

Senate Amendments to House Joint Resolution No. 9 were concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: C. R. Anderson, Ellis, Guthrie, Hager, Lockrem, Marks, Mercer, Jack Moore, Teague, Underdal, Wyrick. Total 11.

Excused: Brand, Lory, Seifert, Wood. Total 4.

Absent or not voting: Bardanouve, Rasmussen, Schye, Travis. Total 4.

Driscoll moved that the House adjourn until 1:30 p.m., February 18, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 18, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Barrett and Wood, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 325, House Bill No. 389.

QUILICI, Chairman

February 17, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 224, 334, 375, 396, 398, 397, 412, 518, 664.

QUILICI, Chairman

February 17, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution considered correctly engrossed: House Bills Nos. 125, 338, 357, 393, 419, 420, 468, 474, 607, 638, House Joint Resolution No. 48.

QUILICI, Chairman

February 18, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on February 17, 1975: House Bill No. 31, House Bill No. 142, Senate Bill No. 22.

Edwin A. Smith, Chief Clerk
House of Representatives

February 18, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 538, respectfully report as follows: That House Bill No. 538 do pass.

GUNDERSON, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Education, having had under con-

sideration House Bill No. 656, respectfully report as follows: That House Bill No. 656 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 7.

Following: "cases"

Insert: "; and providing an immediate effective date"

2. Amend page 1, section 1, line 23.

Following: "negotiate"

Insert: "with the professional educational employees"

3. Amend page 6, section 2, subsection (3), line 9.

Following: "of the"

Strike: "exclusive agent"

Insert: "professional educational employees"

4. Amend page 6, following line 20.

Insert: a new section 3 to read as follows:

"Section 3. This act is effective on its passage and approval."

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 170, respectfully report as follows: That Senate Bill No. 170 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 15.

Following: "exceeds"

Strike: "four"

Insert: "fifty"

2. Amend page 1, section 1, line 16.

Strike: "\$4,000"

Insert: "\$50,000"

3. Amend page 1, section 2, subsection (1), line 25.

Following: "of"

Strike: "at least three (3)"

4. Amend page 2, section 2, subsection (1), lines 3 and 4.

Following: "be"

Strike: "published in a newspaper of general"

Insert: "circulated"

5. Amend page 2, section 2, subsection (1), line 4.

Following: "statewide"

Strike: "circulation,"

Insert: "and"

6. Amend page 2, section 2, subsection (3), line 25.

Following: "period"

Strike: "and a"

Insert: ", the trustees shall give"

7. Amend page 2, section 2, subsection (3), line 25, and page 3, lines 1 through 6.

Following: "notice"

Strike: remainder of subsection (3) through and including line 6 on page 3.

Insert: "of their tentative selection of a firm."

8. Amend page 3, section 2, subsection (4), lines 7 and 8.

Following: "(4)"

Strike: "Following the meeting mentioned in subsection (3) above, the"

Insert: "The"

9. Amend page 3, section 2, subsection (4), line 9.

Following: "their"

Insert: "final"

10. Amend page 3, section 2, subsection (4), line 10.

Following: "selection."

Strike: "In addition, the"

Insert: "(5) The"

Renumber: subsequent subsection.

11. Amend page 3, section 2, subsection (5), lines 11 through 14.

Following: "to"

Strike: "announce their final determination of a firm and to discuss the criteria upon which they based their selection. The trustees shall also"

12. Amend page 3, section 2, subsection (5), lines 15 through 17.

Following: "performed."

Strike: "But the trustees shall not award a contract for architectural services prior to this public meeting."

13. Amend page 4, section 3, lines 10 and 11.

Following: "of"

Strike: "and hold a public meeting regarding"

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 553, respectfully report as follows: That House Bill No. 553 do not pass.

GUNDERSON, Chairman

February 18, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 470, respectfully report as follows: That House Bill No. 470 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsections (2) and (3), lines 9 through 16.

Strike: subsections (2) and (3) in their entirety.

And as amended, do pass.

STOLTZ, Vice-Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 17, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 24 and 39.

Sincerely,

BILL CHRISTIANSEN
Acting Governor

February 17, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor this day to inform you that I have approved Senate Bills Nos. 17 and 59.

Sincerely,

BILL CHRISTIANSEN
Acting Governor

MESSAGE FROM THE OTHER HOUSE

February 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 91, introduced by Seibel, Towe, McCallum et al

Senate Bill No. 121, introduced by Roberts

Senate Bill No. 162, introduced by Roberts

Senate Bill No. 195, introduced by Roberts, Healy, Blaylock, et al

Senate Bill No. 196, introduced by Roberts, Healy, Blaylock, et al

Senate Bill No. 197, introduced by Roberts, Healy, Blaylock, et al

Senate Bill No. 198, introduced by Roberts, Healy, Blaylock, et al

Senate Bill No. 199, introduced by Roberts, Healy, Blaylock, et al

Senate Bill No. 200, introduced by Roberts, Healy, Blaylock, et al

Senate Bill No. 371, introduced by Flynn, McCallum

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Day moved that House Bill No. 631 now on Second Reading be passed to the bottom of the board.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 688, introduced by South: A bill for an act entitled: "An act to appropriate thirty-seven thousand, forty dollars to the Department of Intergovernmental Relations for the preparation of maps showing all of the political subdivisions of the State of Montana and providing for an immediate effective date." Referred to Committee on Appropriations.

Senate Bill No. 91, introduced by Seibel, Towe, McCallum, Boylan, Romney, Graham, Healy, Mathers, Turnage, McOmber, Murphy: A bill for an act entitled: "An act revising the eligibility criteria for Class Eight property tax classification; amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 121, introduced by Roberts: A bill for an act entitled: "An act to amend Section 94-2-101 of the Criminal Code, in the definition of intoxicating substance by deleting references to non-alcoholic substances." Referred to Committee on Judiciary.

Senate Bill No. 162, introduced by Roberts: A bill for an act entitled: "An act to require notice of tax sale to holders of perfected security interests in personal property, amending Section 84-4202, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 195, introduced by Roberts, Healy, Blaylock, Olson, Story, Hazelbaker: A bill for an act entitled: "An act to provide that the State Auditor pay fire department relief associations in first and second class cities out of premium taxes collected rather than from license fees; amending Section 11-1919, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 196, introduced by Roberts, Healy, Blaylock, Olson, Story, Hazelbaker: A bill for an act entitled: "An act to provide that funds paid by the State Auditor to all cities for firemen's relief associations be based on assessed valuation of the city rather than on premiums collected in the city and increasing the percentage of assessed valuation to forty-five one hundredth mills; amending Sections 11-1919 and 11-2030; and repealing Section 11-1918, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 197, introduced by Roberts, Healy, Blaylock, Olson, Story, Hazelbaker: A bill for an act entitled: "An act to amend Sections 11-1917 and 11-1919, R.C.M. 1947, to change dates certain reports are due the State Auditor to April 1." Referred to Committee on State Administration.

Senate Bill No. 198, introduced by Roberts, Healy, Blaylock, Olson,

Story, Hazelbaker: A bill for an act entitled: "An act to amend Section 40-2726, R.C.M. 1947, to provide the State Auditor authority to deposit fees and licenses in clearing accounts." Referred to Committee on State Administration.

Senate Bill No. 199, introduced by Roberts, Healy, Blaylock, Olson, Story, Hazelbaker: A bill for an act entitled: "An act to clarify Section 11-1834, R.C.M. 1947, concerning payments made by the State Auditor to police departments; amending said Section 11-1834, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 200, introduced by Roberts, Healy, Blaylock, Olson, Story, Hazelbaker: A bill for an act entitled: "An act to amend Section 11-1835, R.C.M. 1947, to provide that the State Auditor pay police departments out of premiums for all casualty insurance rather than from the motor vehicle premium portion." Referred to Committee on State Administration.

Senate Bill No. 371, introduced by Flynn, McCallum: A bill for an act entitled: "An act amending Section 46-801.2, R.C.M. 1947, to permit cattle used as rodeo stock to be issued transportation permits." Referred to Committee on Agriculture, Livestock and Irrigation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 103 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 84.

Noes: Aageson, Bertelsen, Guthrie, Gwynn, Kendall, Kropp, Sivertsen, Smith, Wyrick. Total 9.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Halvorson, Lynch, James Moore, Scully, Travis. Total 5.

House Bill No. 125 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South,

Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: Bardanouve, Gunderson, Johnson, Mular. Total 4.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Bradley, Federico, Halvorson, Holmes, Kanduch, Lynch, Travis. Total 7.

House Bill No. 338 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Barrett, Wood. Total 2.

Absent or not voting: W. Baeth, Bardanouve, Halvorson, Lynch. Total 4.

House Bill No. 356 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 91.

Noes: Asher, Casey, Gwynn, Wyrick. Total 4.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Halvorson, Lund, Lynch. Total 3.

House Bill No. 357 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp,

Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Lynch, Meloy. Total 2.

House Bill No. 393 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Lynch. Total 1.

House Bill No. 419 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Casey, Ellison, Guthrie, Mercer, Schye, Seifert, Smith. Total 7.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Brand, Dassinger, Lynch. Total 3.

House Bill No. 420 passed by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson,

Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, C. R. Anderson, John Anderson, Asher, Babcock, Bertelsen, Casey, Conroy, Ellerd, Ellison, Gerke, Gould, Guthrie, Hubing, Johnston, Kvaalen, Lockrem, Lund, McFadden, Marks, Mercer, Quilici, Robbins, Schye, Seifert, Sivertsen, Smith, Underdal, Wyrick. Total 29.

Excused: Barrett, Wood. Total 2.

Absent or not voting: R. Baeth, Day, Lynch, Wolfe. Total 4.

House Bill No. 447 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 76.

Noes: Aageson, Asher, Babcock, Bardanouve, Casey, Ellerd, Hubing, Jacobsen, Kropp, Kvaalen, Lockrem, Lund, Marks, Mercer, Seifert, Sivertsen, Smith, Wyrick. Total 18.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Ellison, Gould, Holmes, Lynch,. Total 4.

House Bill No. 468 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Johnston, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Smith, Teague, Thomas, Tropila, Underdal, Williams, Wyrick, Mr. Speaker. Total 73.

Noes: Bertelsen, Bradley, Dussault, Fleming, Gunderson, Harper, Huennekens, Jacobsen, Johnson, Kemmis, Kimble, Meloy, James Moore, Palmer, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Travis, Vincent, Wolfe, Yardley. Total 24.

Paired: Barrett, Lynch, ayes; Bradley, Yardley, noes.

Excused: Wood. Total 1.

Absent or not voting: Fishbaugh, O'Connell. Total 2.

House Bill No. 474 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Lynch. Total 1.

House Bill No. 574 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 84.

Noes: Babcock, Bardanouve, Casey, Ellison, Guthrie, Hager, Kvaalen, Lockrem, Lory, Marks, Smith, Wyrick. Total 12.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Lynch, Schye. Total 2.

House Bill No. 603 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Guthrie, Gwynn, Hager, Hubing, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 35.

Paired: Driscoll, Lynch, ayes; Barrett, Wood, noes.

Excused: None.

Absent or not voting: None.

House Bill No. 607 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassingier, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 82.

Noes: Aageson, Asher, Bertelsen, Hager, Hubing, Kropp, Kvaalen, Marks, Seifert, Sivertsen, Smith, Wyrick. Total 12.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Babcock, Ellison, Lynch, Palmer. Total 4.

House Bill No. 638 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassingier, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 91.

Noes: Asher, Marks, Shelden, Teague, Wyrick. Total 5.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Lynch, Travis. Total 2.

House Joint Resolution No. 48 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassingier, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 87.

Noes: Guthrie, Hager, Kropp, Kvaalen, Mercer, Robbins, Seifert, Smith, Wyrick. Total 9.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Johnston, Lynch. Total 2.

Senate Bill No. 85 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Lockrem, Mercer, Staigmiller. Total 3.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Lynch, Sivertsen. Total 2.

Senate Bill No. 149 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Magone, Manuel, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Williams, Wyrick. Total 77.

Noes: Brand, Driscoll, Dussault, Harper, Holmes, Johnson, Kelly, McFadden, James Moore, Seifert, Sloan, Smith, Travis, Vincent, Yardley, Mr. Speaker. Total 16.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Hager, Lynch, Marks, Meloy, Wolfe. Total 5.

Senate Bill No. 171 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 89.

Noes: Aageson, Fagg, Gunderson, Harper, Sivertsen, Yardley. Total 6.

Excused: Barrett, Wood. Total 2.

Absent or not voting: Huennekens, Lynch, Travis. Total 3.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Halvorson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 18, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 71 do pass. (90-0)

That House Bill No. 121 be passed to the bottom of the board.

That House Bill No. 224 do pass. (59-28)

That House Bill No. 375 do pass. (85-2)

That House Bill No. 396 do pass. (83-7)

That House Bill No. 397 do pass. (71-18)

That House Bill No. 398 do not pass. (50-46)

That the Committee rise and report and beg leave to sit again.

HALVORSON, Chairman

Gunderson moved that House Bill No. 398 be segregated from the Committee of the Whole report and as amended, be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 18, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 178, respectfully report as follows: That Senate Bill No. 178 be concurred in.

W. BAETH, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 184, respectfully report as follows: That Senate Bill No. 184 be concurred in.

W. BAETH, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Highways and Transportation,

having had under consideration Senate Bill No. 232, respectfully report as follows: That Senate Bill No. 232 be concurred in.

W. BAETH, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 454, respectfully report as follows: That House Bill No. 454 do pass.

W. BAETH, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 464, respectfully report as follows: That House Bill No. 464 be amended as follows:

1. Amend title, page 1, line 7.
Following: "contract"
Insert: "for the transportation of solid waste"
2. Amend page 1, section 1, line 19.
Following: "contract"
Insert: "for transporting solid waste"
3. Amend page 3, section 1, subsection (2), line 10.
Following: "thereof,"
Insert: "for the transportation of solid waste,"

And as amended, do pass.

W. BAETH, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 504, respectfully report as follows: That House Bill No. 504 be amended in the introduced bill as follows:

1. Amend page 1, the title, line 6.
Following: "dollars"
Insert: "(\$4)"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 463, respectfully report as follows: That House Bill No. 463 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 12.
Following: "sign-language"
Insert: "mutually acceptable to the deaf person and the court"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130 be amended in the introduced bill as follows:

1. Amend page 3, section 2, subsection (2), subsubsection (b), line 23.
Following: "either"
Strike: "less than eight (8) feet wide or less than thirty-two (32) feet long, or both."
Insert: "eight (8) feet wide or less or thirty-two (32) feet long or less."
2. Amend page 4, section 3, subsection (2), line 18.
Following: "display"
Strike: "or"
Insert: "of"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 521, respectfully report as follows: That House Bill No. 521 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 13.
Following: "The board"
Strike: "is authorized to"
Insert: "may"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 523, respectfully report as follows: That House Bill No. 523 be amended in the introduced bill as follows:

1. Amend page 1, section 1, lines 11 through 14.
Following: "Township officers."
Strike: "The officers of townships are [two constables, and such other inferior and subordinate officers] as [are] provided [for] (a) elsewhere in this code, or (b) by the board of county commissioners."
Insert: "Except as otherwise provided in these codes, the officers of townships shall be designated by the county commissioners of the county in which the township is located."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 545, respectfully report as follows: That House Bill No. 545 do pass.

YARDLEY, Chairman

Report adopted.

February 17, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 47, respectfully report as follows: That House Joint Resolution No. 47 do pass.

HUENNEKENS, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following: "taxable"

Insert: "real"

2. Amend title, page 1, line 6.

Following: "property"

Insert: "and improvements"

3. Amend title, page 1, line 7.

Following: "exceptions"

Insert: "; and providing an effective date"

4. Amend page 1, section 1, line 14.

Following: "taxable"

Insert: "real"

5. Amend page 1, section 1, line 14.

Following: "property"

Insert: "and improvements"

6. Amend page 1, section 1, lines 19 through 24.

Strike: subsections (2) and (3) in their entireties.

Re-number: subsequent subsection.

7. Amend page 4, following line 5.

Insert: "Section 3. This act is effective on its passage and approval."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 597, respectfully report as follows: That House Bill No. 597 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 20.

Following: "[assessed.]"

Insert: "Land and improvements thereon shall be separately assessed when ownership of the improvements is different from ownership of the land, or when requested in writing by the taxpayer."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

YARDLEY, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 449, respectfully report as follows: That House Bill No. 449 do pass.

YARDLEY, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 654, respectfully report as follows: That House Bill No. 654 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 15.

Following: "than"

Strike: "one"

Insert: "two"

2. Amend page 1, section 1, line 16.

Strike: "(1%)"

Insert: "(2%)"

3. Amend page 2, section 2, line 3.

Following: line 3 "For the"

Strike: "above amendment"

Insert: "general fund surplus income tax credit"

4. Amend page 2, section 2, line 4.

Following: "the"

Strike: "above amendment"

Insert: "general fund surplus income tax credit"

And as amended, do pass.

HAGEMAN, Vice-Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 570, respectfully report as follows: That House Bill No. 570 do pass.

HAGEMAN, Vice-Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 568, respectfully report as follows: That House Bill No. 568 do pass.

HAGEMAN, Vice-Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 43, respectfully report as follows: That House Joint Resolution No. 43 do pass.

HAGEMAN, Vice-Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 61, respectfully report as follows: That House Joint Resolution No. 61 do pass.

HAGEMAN, Vice-Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 31, respectfully report as follows: That House Joint Resolution No. 31 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following: "Montana"

Strike: "directing the human services research and development project within"

Insert: "requesting"

2. Amend title, page 1, line 7.

Following: "dissolving"

Strike: "the Department of Institutions and integrating its"

Insert: "all departments which provide human services and integrating their"

3. Amend page 1, line 17.

Following: "Whereas,"

Strike: "the activities most common to all branches of the Department of Institutions now involve acting as custodians of large public buildings, and"

Insert: "various departments which are involved may have collective bargaining agreements in effect and any such action may affect the employment of the representative's members, and"

4. Amend page 2, line 1.

Following: "That"

Strike: "the Human Services Research and Development Project within the Planning Division of"

5. Amend page 2, line 3.

Following: "be"

Strike: "directed"

Insert: "requested"

6. Amend page 2, line 6.

Following: "and"

Insert: a new Be it Further Resolved to read as follows:

"Be it Further Resolved, that continuous contact to obtain employee input will be made with recognized employee representatives of the collective bargaining units at such points as are mutually agreed upon by the Governor's office and the recognized representatives, and"

7. Amend page 2, line 7.

Following: "the"

Strike: "Human Services Research and Development Project"

Insert: "Governor's office"

8. Amend page 2, line 13.

Following: "the"

Strike: "Human Services Research and Development Project"

Insert: "Governor's office"

And as amended, do not pass.

HAGEMAN, Chairman

February 18, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 524, respectfully report as follows: That House Bill No. 524 do not pass.

HUENNEKENS, Chairman

February 18, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 658, respectfully report as follows: That House Bill No. 658 do not pass.

W. BAETH, Chairman

MOTIONS

Gunderson moved that House Bill No. 398 be taken from Second Reading and be rereferred to the Committee on Agriculture, Livestock and Irrigation.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Halvorson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 18, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Aageson and Sivertsen excused at this time.

That House Bill No. 412 do pass. (69-21)

That House Bill No. 518 do pass. (71-18)

That House Bill No. 579 do pass. (94-0)

That House Bill No. 664 do not pass. (71-29)

That Senate Bill No. 68 be concurred in. (86-0)

That House Bill No. 631 do pass. (76-11)

That House Bill No. 121 be passed for the day.

That the Committee rise and report.

HALVORSON, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 29, respectfully report as follows: That House Joint Resolution No. 29 be amended in the introduced bill as follows:

1. Amend the title, page 1, lines 6 and 7.

Following: "priorities"

Strike: "appoint a standing committee"

Insert: "assign an appropriate subcommittee"

2. Amend page 1, line 19.

Following: "requested to"

Strike: "appoint the appropriate standing committee to"

Insert: "assign to the appropriate subcommittee a"

3. Amend page 1, line 20.

Following: "study"

Insert: "of"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 473, respectfully report as follows: That House Bill No. 473 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), lines 24 and 25; and on page 2, line 1.

Following: "buildings;"

Strike: all the material in its entirety.

Insert: "and consistent with the conservation of energy by design requirements and criteria that will result in the efficient utilization of energy, whether used directly or in a refined form, in buildings."

2. Amend page 2, section 1, subsection (5), line 16.

Following: "equipment"

Strike: "."

Insert: ";

3. Amend page 2, section 1, following subsection (5), following line 16.

Insert: a new subsection (6) to read as follows:

"(6) encourage efficiencies and criteria directed toward design of building envelopes with high thermal resistance and low air leakage and

toward requiring practices in the design and selection of mechanical, electrical and illumination systems which promote the efficient use of energy."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be terminated by the House of Representatives for the 44th Legislative Session at the close of business February 15, 1975:

Brent C. Anderson	Page
Teresa Ann Wallace	Page
Roxie Jeanne Dufour	Page
McClure Regan	Page
Debbie Lee Dayton	Page
Elizabeth A. Preston	Page

At the close of business February 18, 1975, the following also be terminated:

Kariena Brosten	Page
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Do pass.

LYNCH, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 154, House Bill No. 368.

QUILICI, Chairman

February 18, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 598.

QUILICI, Chairman

February 18, 1975

I have examined House Bill No. 232 introduced by me and find the same to be correct.

JOHNSTON

February 18, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 232.

QUILICI, Chairman

February 18, 1975

The following bill will be signed on adjournment on February 18, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 232.

Edwin A. Smith, Chief Clerk

House of Representatives

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 376 was adopted by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lockrem, Luebeck, Lund, Lynch, McFadden, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Smith, South, Staigmillar, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Federico, Harper, Holmes, Teague. Total 4.

Excused: Aageson, Barrett, Sivertsen, Wood. Total 4.

Absent or not voting: Bardanouve, Ellerd, Fabrega, Helmbrecht, Kimble, Lester, Lien, Lory, Magone, Manuel, Mular, Richards, Sloan. Total 13.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 377 was adopted by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Lester, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 75.

Noes: W. Baeth, Bardanouve, Bradley, Brand, Federico, Harper, Holmes, Johnson, Kemmis, Kvaalen, Lockrem, Shelden, Vincent. Total 13.

Excused: Aageson, Barrett, Sivertsen, Wood. Total 4.

Absent or not voting: Ellerd, Fabrega, Gerke, Helmbrecht, Kimble, Lien, Lory, Richards. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 402 was adopted by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellis, Ellison, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Quilici, Rasmussen, Robbins, Seifert, Smith, Staigmillar, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 72.

Noes: Dussault, Federico, Gilligan, Harper, Holmes, Meloy, Mular,

Murphy, Richards, Schye, Shelden, Sloan, South, Teague, Tropila. Total 15.

Excused: Aageson, Barrett, Sivertsen, Wood. Total 4.

Absent or not voting: Ellerd, Fabrega, Helmbrecht, Kelly, Kimble, Lien, Marks, Palmer, Scully. Total 9.

MOTIONS

O'Connell moved that copies of the fiscal impact statement from the Fiscal Analyst of the Legislative Auditor be distributed to each member of the House.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., February 19, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 19, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Barrett and Wood, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 71, 224, 375, 396, 397, 471.

QUILICI, Chairman

February 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 412, 518, 579, 631.

QUILICI, Chairman

February 19, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 480.

QUILICI, Chairman

February 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly printed: House Joint Resolutions Nos. 43, 47, 61, House Bills Nos. 198, 328, 367, 449, 454, 545, 568, 570.

QUILICI, Chairman

February 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 388, 469, 470, 516.

QUILICI, Chairman

February 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 38, 41.

QUILICI, Chairman

February 19, 1975

I have examined House Bill No. 38 introduced by me and find the same to be correct.

MC KITTRICK

February 19, 1975

The following bill was signed in the office of the Speaker of the House of Representatives on February 18, 1975: House Bill No. 232.

Edwin A. Smith, Chief Clerk
House of Representatives

February 19, 1975

The following bills will be signed on adjournment on February 19, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 38, 41.

Edwin A. Smith, Chief Clerk
House of Representatives

February 18, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 569, respectfully report as follows: That House Bill No. 569 be amended in the introduced bill as follows:

1. Amend page 5, section 1, following subsection (20), following line 2.
Insert: a new subsection (21) to read as follows:

"(21) 'surface owner' means a person (a) who holds legal or equitable title to the land surface; and (b) whose principal place of residence is on the land; or who personally conducts farming or ranching operations upon a farm or ranch unit to be directly affected by surface mining operations; or who receives directly a significant portion of his income, if any, from such farming or ranching operations."

Renumber: the subsequent subsection.

2. Amend page 5, section 1, former subsection (21), line 4.

Following: "intention to"

Strike: "convey"

Insert: "release"

3. Amend page 5, section 1, former subsection (21), line 4.

Following: "in the"

Strike: "mineral"

Insert: "surface"

4. Amend page 5, section 1, former subsection (21), line 5.

Following: "purpose of"

Strike: "extracting such"

Insert: "permitting the extraction of subsurface"

5. Amend page 5, section 2, line 14.

Following: "commence"

Strike: "surface"

Insert: "strip"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 433, respectfully report as follows: That House Bill No. 433 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 5.

Following: "facilities"

Insert: "or the storage of radioactive wastes"

2. Amend page 1, section 1, line 10.

Following: "conversion"

Strike: "or transfer"

Insert: ", within the state of Montana,"

3. Amend page 1, following line 13.

Insert: "Section 2. Storage of radioactive wastes prohibited. No person or governmental agency may store within the state of Montana, radioactive waste materials from nuclear energy conversion facilities.

Section 3. Legislative intent. It is the intent of the legislature that the prohibition established by this act be removed upon conclusive proof to the legislature that the conversion processes, the transportation, and the storage of radioactive wastes from those processes will not result in harm to the safety and health of the people of Montana.

Section 4. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 683, respectfully report as follows: That House Bill No. 683 be amended in the introduced bill as follows:

1. Amend page 9, section 7, line 4.

Following: "created [.]"

Insert: "Under the"

2. Amend page 9, section 8, line 24.

Following: "certification"

Strike: ","

And as amended, do pass.

(Material in brackets denotes cancelled type.)

BRADLEY, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 54, respectfully report as follows: That House Joint Resolution No. 54 be amended in the introduced bill as follows:

1. Amend page 2, following line 3.

Insert: "Be It Further Resolved, that the study also consider the effects and other causes of oil well water flood depletion of the Fox Hill Sands aquifer.

Be It Further Resolved, that the Montana State Bureau of Mines coordinate activities with the Department of State Lands and the Department of Natural Resources and Conservation.

Be It Further Resolved, that final and interim reports be made available to the public and to the legislature."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 be amended in the introduced bill as follows:

1. Amend page 4, section 4, subsection (3), line 23.

Strike: "adequate"

2. Amend page 4, section 4, subsection (3), line 23.

Following: "protection"

Insert: "consistent with the purposes of this act"

3. Amend page 7, section 6, (2), line 3.

Following: "describing"

Strike: "all"

Insert: "any significant"

BRADLEY, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 404, respectfully report as follows: That House Bill No. 404 be amended in the introduced bill as follows:

1. Amend page 3, line 22.

Renumber: section 2 to read: "Section 3."

And as amended, do pass.

FLEMING, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 497, respectfully report as follows: That House Bill No. 497 do pass.

FLEMING, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 be amended in the introduced bill as follows:

1. Amend page 3, section 2, line 22.

Following: "commission"

Strike: "may"

Insert: "shall have the power to"

2. Amend page 5, section 3, line 24.

Following: "local government unit"

Insert: "and to the state general fund in proportion to their respective contributions to the study commission"

3. Amend page 9, section 4, following line 2.

Insert: "(3) (g) (i)"

4. Amend page 9, section 4, line 6.

Following: "(3) (k) (i)"

Insert: "if the county has elected an auditor."

5. Amend page 9, section 4, following line 6.

Insert: "(3) (k) (vi) if the county has not elected an auditor."

6. Amend page 15, section 7, subsection (d), line 18.

Following: "government"

Insert: "or the plan may provide a single executive for the confederated unit of government. The plan may also provide for a joint legislative body"

7. Amend page 16, section 7, subsection (5), line 25.

Following: "the"

Insert: "name established in the charter."

8. Amend page 26, section 10, subsection (2), line 1.

Following: "commissions"

Strike: "may"

Insert: "shall"

9. Amend page 28, section 11, subsection (2), line 19.

Following: "section"

Strike: "16-5118"

Insert: "16-5115.9"

10. Amend page 30, section 12, subsection (1), line 4.

Strike: "August"

Insert: "October"

11. Amend page 30, section 12, subsection (2), line 11.

Following: "contain"

Strike: "all information"

Insert: "the same categories of information"

12. Amend page 31, section 12, subsection (3) (a) (iv), line 2.

Following: "of government."

Insert: "The apportionment plan shall be based on the most recent federal census and the district shall be as compact and equal in population as possible."

13. Amend page 34, section 13, subsection (6) (a), line 7.

Following: "For"

Strike: "retention of"

14. Amend page 34, section 13, subsection (6) (b), line 11.

Following: "For"

Strike: "retention of"

15. Amend page 34, section 13, subsection (6) (c), line 12.

Following: "number"

Insert: "of"

16. Amend page 35, section 13, subsection (6) (c), line 3.

Following: "ballots."

Insert: "If the local government consists of only one (1) precinct, the existing form shall be listed first on the ballot."

17. Amend page 36, section 14, subsection (2) (a), line 8.

Following: "plan."

Insert: "The electors of any unit of local government which has adopted a new alternative form of local government may not vote on the question of changing the form of local government until three (3) years after the new alternative form of local government became effective, but the voters may vote on amendments to the alternative form or service or functional transfer."

18. Amend page 38, section 16, subsection (1), line 23.

Following: "be held"

Strike: "in 1975 for city officials elected under the commission manager form of city government or"

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179 be amended in the introduced bill as follows:

1. Amend page 3, section 1, lines 15 and 16.

Following: "of"

Strike: "those titles"

Insert: "state law"

2. Amend page 3, section 1, line 16.

Following: "power"

Insert: "of a public employer"

3. Amend page 5, section 1, following line 2.

Insert: "(11) Any power that applies to or affects Title 26 (fish and game)."

4. Amend page 5, section 1, line 4.

Following: "unit"

Strike: "operating"

5. Amend page 5, section 1, lines 10 through 12.

Following: "any other tax"

Strike: "or to impose an assessment reasonably related to the cost of any service or special benefit provided by the local government"

6. Amend page 6, section 1, lines 17 through 25 and page 7, lines 1 through 3.

Strike: all remaining material of 47A-7-204 including subsections (1) through (8).

Insert: "(1) All state laws providing for the incorporation or disincorporation of cities and towns, for the annexation, disannexation or exclusion of territory from a city or town, for the creation, abandonment or boundary alteration of counties and for city-county consolidation;

(2) Title 16, chapter 51;

- (3) All laws establishing legislative procedures or requirements for units of local government;
- (4) All laws regulating the election of local officials;
- (5) All laws which require or regulate planning or zoning;
- (6) Any law directing or requiring a local government or any officer or employee of a local government to carry out any function or provide any service;
- (7) Any law regulating the budget, finance or borrowing procedures and powers of local governments, except that the mill levy limits established by state law shall not apply;
- (8) Title 93, chapter 99."

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 583, respectfully report as follows: That House Bill No. 583 be amended in the introduced bill as follows:

1. Amend page 2, section 1, line 7.
Following: "four (4)"
Strike: "consecutive"

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 18, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 be amended in the introduced bill as follows:

1. Amend page 2, section 1, lines 21 through 23.
Strike: subsection (d) in its entirety.
Reletter: all subsequent subsections.
2. Amend page 15, section 1, line 10.
Following: "as"
Insert: "provided"
3. Amend page 29, section 1, line 14.
Strike: "the method of their election"
Insert: "election on a partisan or non-partisan basis"
4. Amend page 29, section 1, lines 16 and 17.
Following: "provide for the"
Strike: "election and nomination"
Insert: "nomination and election"
5. Amend page 30, section 1, line 16.
Following: "47-A,"
Strike: "part"
Insert: "Part"

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 493, respectfully report as follows: That House Bill No. 493 be amended in the introduced bill as follows:

1. Amend the title, page 1, lines 6 and 7.

Following: "act;"

Strike: "authorizing one-half of fines imposed to be paid to persons giving information leading to convictions,"

2. Amend page 1, section 1, subsection (2), line 23.

Following: "exceed"

Strike: "six (6) months"

Insert: "thirty (30) days"

3. Amend page 2, section 1, subsection (2), lines 3 through 5.

Following: "months."

Strike: "One-half (½) of any fine imposed under this section shall be paid to the person giving information which leads to the conviction."

And as amended, do pass.

STAIGMILLER, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 168, respectfully report as follows: That Senate Bill No. 168 be concurred in.

STAIGMILLER, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 499, respectfully report as follows: That House Bill No. 499 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), line 17.

Following: "license"

Insert: "for each place of business"

2. Amend page 2, section 1, subsection (3), lines 1 and 2.

Following: "(3)"

Strike: "[Licenses] A license shall be [in the name of the person licensed,] issued for each place of business,"

Insert: "Licenses shall be in the name of the person licensed,"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

FLEMING, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 498, respectfully report as follows: That House Bill No. 498 do pass.

FLEMING, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 618, respectfully report as follows: That House Bill No. 618 do pass.

FLEMING, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 585, respectfully report as follows: That House Bill No. 585 do not pass.

GERKE, Chairman

February 19, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 358, respectfully report as follows: That Senate Bill No. 358 be not concurred in.

STAIGMILLER, Chairman

February 19, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 105, respectfully report as follows: That Senate Bill No. 105 be not concurred in.

STAIGMILLER, Chairman

MESSAGE FROM THE OTHER HOUSE

February 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolutions were this day read three several times, and passed, titles and history agreed to, and the said bills and resolutions are herewith transmitted to the House for concurrence:

Senate Bill No. 189, introduced by Lynch

Senate Bill No. 239, introduced by Greely

Senate Bill No. 278, introduced by E. Smith, Nelson

Senate Bill No. 343, introduced by Fasbender, Himsel

Senate Bill No. 344, introduced by Fasbender, Himsel

Senate Bill No. 354, introduced by Devine

Senate Bill No. 363, introduced by Fasbender (by request of the Governor)

Senate Joint Resolution No. 13, introduced by Drake, Murphy, Dunkle, et al

Senate Joint Resolution No. 16, introduced by Brown, Blaylock

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Lien moved that the House reconsider its action of the previous legislative day on House Bill No. 664.

Motion carried.

Lien moved that House Bill No. 664 be taken from Second Reading and be rereferred to the Committee on State Administration.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 689, introduced by Hager, Federico: A bill for an act entitled: "An act appropriating thirty thousand dollars from the General Fund to the Department of Institutions for the biennium ending June 30, 1977, to fund the planning and design of the Montana veterans' nursing and retirement home." Referred to Committee on Appropriations.

House Bill No. 690, introduced by Hager, Federico: A bill for an act entitled: "An act to appropriate money for construction of the Montana veterans' nursing and retirement home for the biennium ending June 30, 1977, and providing for other matters relating to the appropriation." Referred to Committee on Appropriations.

House Joint Resolution No. 63, introduced by Richards: A Joint Resolution of the Senate and the House of Representatives of the state of Montana urging the Bonneville Power Administration to prepare an impact study of the Pacific Northwest hydro-thermal planning program. Referred to Committee on Natural Resources.

Senate Bill No. 189, introduced by Lynch: A bill for an act entitled: "An act amending Sections 23-3704, 23-3706, 23-3707, 23-3712, 23-3713, 23-3717, and 23-3722, R.C.M. 1947, to provide that absentee voter application forms and ballot envelopes shall be affirmed by the absentee elector." Referred to Committee on Judiciary.

Senate Bill No. 239, introduced by Greely: A bill for an act entitled: "An act to delete the township territorial limits on constables; to require the Board of County Commissioners to set salaries for constables; to make constables appointed county officers; amending Sections 16-507, 16-2404, 16-2406, 16-3601, 16-3607, 16-4010, 66-205, 93-7709, R.C.M. 1947; repealing Section 25-309, R.C.M. 1947; and providing an immediate effective date." Referred to Committee on Local Government.

Senate Bill No. 278, introduced by E. Smith, Nelson: A bill for an act entitled: "An act providing for a pork research and marketing committee to promote effective research into the production and marketing of swine; and providing for a ten cent (10¢) per head check-off of all swine sold in Montana." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 343, introduced by Fasbender, Himsl: A bill for an act entitled: "An act to provide compensation and expenses for members of the board of trustees of the Historical Society; amending Section 82A-507, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 344, introduced by Fasbender, Himsel: A bill for an act entitled: "An act to provide that the Montana Historical Society may use proceeds from sales of surplus and duplicate articles exclusively for acquisition of library, art, and museum artifacts; amending Section 44-523, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 354, introduced by Devine: A bill for an act entitled: "An act to amend Section 72-159, R.C.M. 1947, providing for removal of sidetracks, spur tracks, stock facility and stock loading or unloading facilities under certain conditions when such facility is no longer required by public convenience and necessity." Referred to Committee on State Administration.

Senate Bill No. 363, introduced by Fasbender (by request of the Governor): A bill for an act entitled: "An act providing that the office of the Governor shall continuously study and evaluate the organizational structure, management practices and functions of the executive branch and report to the Legislature, by repealing Section 2 of Chapter 238, Laws of Montana 1973, (which made this function temporary); and providing for an immediate effective date." Referred to Committee on State Administration.

Senate Joint Resolution No. 13, introduced by Drake, Murphy, Dunkle, Lynch, Lee, Healy, Mehrens: A Joint Resolution of the Senate and the House of Representatives of the state of Montana thanking and commending the senior citizens who participate in the foster grandparents program at Boulder River School and Hospital. Referred to Committee on State Administration.

Senate Joint Resolution No. 16, introduced by Brown, Blaylock: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the United States Department of Transportation to adopt a one-hundred fifty (150) ton limit on braking power for railroad cars. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lund in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 19, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 121 be amended as follows:

1. Amend page 5, section 6, lines 20 and 21.
Following: "received"
Strike: "from the license fee imposed by"
Insert: "under the provisions of this act" (81-2)

And as amended, do pass. (62-33)

Barrett present at this time.

That House Bill No. 154 do pass. (94-0)

That House Bill No. 198 do pass. (80-14)

That House Bill No. 325 do pass. (89-9)

That House Bill No. 324 be amended as follows:

1. Amend page 2, section 1, subsection (2), line 10.

Following: "period of"

Strike: "five (5)"

Insert: "three (3)" (82-2)

And as amended, do pass. (58-35)

That House Bill No. 328 be placed below House Bill No. 449 on the board.

That House Bill No. 367 do pass. (84-5)

That House Bill No. 368 do pass. (76-8)

That House Bill No. 389 be passed for the day.

That House Bill No. 449 do pass. (71-9)

That House Bill No. 328 be passed to the bottom of the board.

That House Bill No. 454 do pass. (62-27)

That House Bill No. 545 do pass. (83-1)

That the Committee rise and report and beg leave to sit again.

LUND, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 19, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 108, respectfully report as follows: That Senate Bill No. 108 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, lines 11 and 12.

Following: "[purposes],"

Strike: "except advertising which encourages conservation of energy [and] for product safety, and"

Insert: "for"

2. Amend page 1, section 1, line 19.

Following: "1947."

Insert: "This act shall not apply to advertising which encourages the conservation of energy, product safety, or informs the public of the availability of alternative forms of energy."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 590, respectfully report as follows: That House Bill No. 590 do pass.

SHELDEN, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 150, respectfully report as follows: That Senate Bill No. 150 be concurred in.

SHELDEN, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 be amended in the introduced bill as follows:

1. Amend page 1, section 2, line 14.

Following: "distributed"

Insert: "to persons licensed pursuant to Title 66, chapters 6, 9, and 10, R.C.M. 1947,"

2. Amend page 1, section 3, line 17.

Following: "may be"

Insert: "provided or"

3. Amend page 1, section 3, line 17.

Following: "obtained"

Strike: "only"

4. Amend page 1, section 3, lines 20 through 22.

Following: "drug."

Strike: "A specific and individual request must be submitted to the manufacturer for each shipment of a sample drug."

5. Amend page 1, lines 23 through 25, and page 2, line 1.

Strike: this section 4 in its entirety and renumber the subsequent section.

6. Amend page 2, present section 5, lines 6 and 7.

Following: "(\$500)"

Strike: ", or by imprisonment for not more than six (6) months or both such fine and imprisonment"

And as amended, do pass.

MENAHAH, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 414, respectfully report as follows: That House Bill No. 414 do pass.

MENAHAH, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 be amended in the introduced bill as follows:

1. Amend page 1, following line 7.

Insert: a new section 1 to read as follows and renumber all subsequent sections:

"Section 1. Legislative intent. The intent of this act is to protect the health and atmospheric environment of nonsmokers and to encourage observation of the rights of nonsmokers insofar as is practicable in enclosed public rooms in Montana."

2. Amend page 1, present section 1, subsection (1), lines 10 through 17.

Following: "means"

Strike: the remainder of subsection (1) in its entirety.

Insert: "any room other than a tavern which is designed to serve ten (10) or more persons other than the resident and his immediate family, including: a hotel or motel dining room; restaurant; cafe; cafeteria; theater; arena; gymnasium; streetcar; bus; railway passenger car; bus station, railway station, or airport waiting room; meeting room in a state, county, or city building; waiting room, lobby, or hallway of a health care institution; and public waiting room of any physician, dentist, psychologist, psychiatrist, physiotherapist, podiatrist, chiropractor, optometrist, or optician."

3. Amend page 1, present section 2, lines 18 through 20.

Strike: section 2 in its entirety.

4. Amend page 1, present section 3, line 21.

Following: "signs"

Strike: "— penalty"

5. Amend page 1, present section 3, line 23.

Strike: "designating"

Insert: "which can readily be seen by customers or visitors and which designate"

6. Amend page 1, present section 3, line 23.

Following: "areas."

Insert: "Seats, signs, exhaust fans and windows may be arranged in any manner which will carry out the intent of this act."

7. Amend page 1, following line 23.

Insert: a new present section 4 as follows:

"Section 4. Enforcement and penalty. (1) The department of health and environmental sciences may circulate suggested guidelines for room arrangement to promote maximum comfort for nonsmokers at the least inconvenience to those responsible for room arrangement.

(2) County sanitarians may inspect enclosed public places to ascertain compliance with this act."

8. Amend page 1, present section 3, line 24.

Strike: "(2)"

Insert: "(3)"

9. Amend page 2, present section 3, line 1.

Following: "each"

Insert: "day of"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), line 15.

Following: "shall"

Insert: "issue the appropriate level of"

2. Amend page 1, section 1, subsection (2), line 15.

Following: "psychologist"

Insert: "to"

3. Amend page 1, section 1, subsection (2) (c), line 22.

Following: ".,"

Insert: "and"

4. Amend page 1, section 1, lines 23 through 25, and page 2, lines 1 through 5.

Strike: subsections (d) and (e) in their entirety.

Insert: a new subsection (d) as follows:

"(d) Has the requisite education and experience for his license level, as prescribed in section 66-3208.1, R.C.M. 1947."

5. Amend page 2, section 1, subsection (4), line 9.

Following: "1976, a"

Insert: "Level II"

6. Amend page 2, section 1, subsection (4), line 9.

Following: "issued"

Insert: "without examination"

7. Amend page 2, section 1, subsection (4), line 13.

Following: "state,"

Strike: "county, municipal, public or private"

Insert: "local public"

8. Amend page 2, section 1, subsection (4), line 14.

Strike: "or private practitioner"

9. Amend page 2, following line 22.

Insert: two new sections 2 and 3 to read as follows:

"Section 2. There is a new R.C.M. section numbered 66-3208.1 that reads as follows:

66-3208.1. License — Levels I, II, and III. (1) The board may issue three (3) different levels of licenses to practice psychology. These shall be known as Level I (licensed consulting psychologist), Level II (licensed psychologist), or a Level III (licensed assisting psychologist) license.

(2) A licensed consulting psychologist, in order to qualify for a Level I license, shall have received a doctoral degree based upon a program of studies, primarily psychological in content, from an accredited college or university having an appropriate graduate program, and shall have completed a minimum of two (2) years of experience in the practice, research or teaching of psychology, one (1) year of which shall be post-doctoral.

(3) A licensed psychologist, in order to qualify for a Level II license, shall (a) have received a doctoral degree as required for Level I, or (b) have received a master's degree based upon a program primarily psycho-

logical in content from an accredited college or university having an appropriate graduate program and shall have subsequently completed a minimum of three (3) years of experience in the practice of psychology under the supervision of a licensed consulting psychologist.

(4) A licensed assisting psychologist, in order to qualify for a Level III license, shall (a) have received a master's degree as required for Level II, or (b) shall have received a bachelor's degree based upon a program of study primarily psychological in content from an accredited college or university and shall have subsequently completed a minimum of two (2) years of training in psychology under the supervision of a licensed clinical psychologist who furnishes a written recommendation for the licensure of the applicant.

Section 3. There is a new R.C.M. section numbered 66-3208.2, that reads as follows:

66-3208.2. Restrictions upon practice of psychology. A person may engage in the private practice of psychology only if he

(1) holds a Level I license, or

(2) holds a Level II license and practices in collaboration with a licensed clinical psychologist holding a Level I license, except that a psychologist meeting Level II qualifications and engaged in private practice before July 1, 1975, may continue such practice without being limited by this subsection."

And as amended, do not pass.

MENAHAN, Chairman

February 19, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 467, respectfully report as follows: That House Bill No. 467 do not pass.

MENAHAN, Chairman

February 19, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 495, respectfully report as follows: That House Bill No. 495 do not pass.

MENAHAN, Chairman

February 19, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 277, respectfully report as follows: That House Bill No. 277 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 13.

Strike: "or optometrists"

And as amended, do not pass.

MENAHAN, Chairman

Objection raised by Menahan on the adverse committee report on House Bill No. 385. Referred to Second Reading.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 553 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth,

W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, South, Staigmilller, Stoltz, Teague, Thomas, Underdal, Vincent, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Hager, Jack Moore, Scully. Total 3.

Excused: Wood. Total 1.

Absent or not voting: Bradley, Ellerd, Fabrega, Gould, Helmbrecht, Kemmis, Lester, Lien, Marks, Meloy, Schye, Seifert, Sivertsen, Sloan, Smith, Travis, Tropila, Williams, Wolfe. Total 19.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 524 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Wolfe, Wyrick, Mr. Speaker. Total 82.

Noes: Babcock, Barrett, Hager, Johnson, Lynch, Mular, Seifert. Total 7.

Excused: Wood. Total 1.

Absent or not voting: Fabrega, Kemmis, Marks, O'Connell, Rasmussen, Sivertsen, Sloan, Travis, Williams, Yardley. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 658 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kelly, Kendall, Kimble, Kropp, Kvaalen, Lory, Luebeck, Lund, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Tropila, Underdal, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 78.

Noes: Bradley, Dussault, Holmes, Johnson, Kemmis, Lester, Lynch, McFadden, Mular, Shelden, Vincent. Total 11.

Excused: Wood. Total 1.

Absent or not voting: Bertelsen, Fabrega, Kanduch, Kummerfeldt, Lien, Lockrem, Quilici, Teague, Travis, Williams. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 31 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, O'Connell, Palmer, Quilici, Rasmussen, Schye, Seifert, Sivertsen, Smith, South, Staigmiller, Thomas, Underdal, Wolfe, Yardley, Mr. Speaker. Total 72.

Noes: Bardanouve, Bradley, Dussault, Guthrie, Harper, Helmbrecht, Johnson, Kemmis, Lester, James Moore, Mular, Murphy, Richards, Robbins, Stoltz, Teague, Tropila, Vincent, Wyrick. Total 19.

Excused: Wood. Total 1.

Absent or not voting: Day, Kummerfeldt, Meloy, Scully, Shelden, Sloan, Travis, Williams. Total 8.

MOTIONS

Lien moved that House Bill No. 654 be rereferred from printing to the Committee on State Administration.

Motion carried.

Kimble moved that the following bills be rereferred from the Committee on Labor and Employment Relations to the Committee on Public Health, Welfare and Safety: House Bill No. 490, House Bill No. 676, and House Bill No. 551.

Motion carried.

Kimble moved that the following bills be rereferred from the Committee on Labor and Employment Relations to the Committee on State Administration: House Bill No. 452, House Bill No. 257, House Bill No. 451, House Bill No. 293, House Bill No. 457, House Bill No. 458.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 497, 498, 618.

QUILICI, Chairman

February 19, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on February 19, 1975: House Bills Nos. 38, 41.

Edwin A. Smith, Chief Clerk
House of Representatives

February 19, 1975

I have examined House Bill No. 41 introduced by me and find the same to be correct.

LYNCH

February 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 107, 130, 207, 372, 427, 463, 464, 473, 504, 538, 597.

QUILICI, Chairman

MESSAGES FROM THE OTHER HOUSE

February 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read three several times, and concurred in, title and history agreed to, and the said House Joint Resolution is herewith returned to the House:

House Joint Resolution No. 21, introduced by Williams, Gerke, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 37, introduced by Robbins, O'Connell, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lund in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 19, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 546 be amended as follows:

1. Amend title, page 1, line 5.

Strike: "annual"

2. Amend title, page 1, line 6.

Following: "vehicles"

Insert: "every two years" (53-18)

And be further amended:

3. Amend page 1, section 1, line 14.

Strike: "first"

Insert: "second"

4. Amend page 1, section 1, line 15.

Strike: "annually"

Insert: "every two years" (59-15)

And as amended, do not pass. (63-31)

That House Bill No. 568 do pass. (83-8)

That House Bill No. 570 do pass. (87-1)

That House Joint Resolution No. 43 do pass. (64-27)

That House Joint Resolution No. 47 do pass. (68-29)

That House Joint Resolution No. 61 do pass. (81-10)

That the Committee rise and report.

LUND, Chairman

Driscoll moved that House Bill No. 568 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

MOTIONS

Driscoll moved that House Bill No. 568 be taken from Second Reading and be rereferred to the Committee on Rules.

Motion carried.

Lockrem moved that consideration of Senate Bills on Second Reading be postponed until the Forty-sixth Legislative Day.

Motion failed.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 71 passed by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert,

Shelden, Sivertsen, Smith, South, Staigmler, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: C.R. Anderson, Casey. Total 2.

Excused: Wood. Total 1.

Absent or not voting: Bengtson, Ellison, Kimble, Sloan, Thomas. Total 5.

House Bill No. 224 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, South, Staigmler, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Casey, Day, Ellerd, Ellison, Fabrega, Fagg, Guthrie, Hager, Hubing, Jacobsen, Johnston, Kropp, Kummerfeldt, Kvaalen, Lund, Manuel, Marks, Mercer, Rasmussen, Schye, Seifert, Sivertsen, Sloan, Smith, Wolfe, Wyrick. Total 34.

Excused: Wood. Total 1.

Absent or not voting: Bengtson, Kimble, Thomas. Total 3.

House Bill No. 375 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmler, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Barrett, Fishbaugh, Schye, Tropila. Total 4.

Excused: Wood. Total 1.

Absent or not voting: Bengtson, Holmes, Kimble, Thomas. Total 4.

House Bill No. 396 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy,

Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: Casey, Conroy, Ellison, Guthrie, Hubing, Lockrem, Lund, Mercer, Schye, Seifert, Smith, Underdal, Wyrick. Total 13.

Excused: Wood. Total 1.

Absent or not voting: R. Baeth, Bengtson, Dussault, Kimble, Thomas. Total 5.

House Bill No. 397 passed by the following vote:

Ayes: Aageson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 75.

Noes: C.R. Anderson, J. Anderson, Babcock, Ellison, Guthrie, Hager, Hubing, Lockrem, Lory, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Sloan, Smith, Underdal, Wyrick. Total 20.

Excused: Wood. Total 1.

Absent or not voting: Bengtson, Gould, Kimble, Thomas. Total 4.

House Bill No. 471 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 77.

Noes: Asher, Casey, Day, Ellerd, Ellison, Guthrie, Hager, Hubing, Jacobsen, Kvaalen, Lockrem, Lund, Marks, Mercer, Robbins, Seifert, Underdal, Wyrick. Total 18.

Excused: Wood. Total 1.

Absent or not voting: Bardanouve, Bengtson, Kimble, Thomas. Total 4.

House Bill No. 598 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, Magone, Meloy,

Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Sheldon, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 60.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Conroy, Dassinger, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gerke, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Kropp, Kvaalen, Lockrem, Lund, McFadden, Manuel, Marks, Mercer, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wyrick. Total 35.

Excused: Wood. Total 1.

Absent or not voting: Bengtson, Day, Kimble, Thomas. Total 4.

Driscoll moved that the House adjourn until 1:30 p.m., February 20, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 20, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Kendall, Mular, Wolfe and Wood, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

February 20, 1975

Mr. Edwin A. Smith
Chief Clerk
House of Representatives

Dear Mr. Smith:

I have this date appointed to the Western States Forestry Task Force the following Representatives:

Representative William G. Gwynn,
Eureka, District 20

Representative Duane Johnson,
Missoula, District 97

Sincerely,

Pat McKittrick
Speaker of the House

REPORTS OF STANDING COMMITTEES

February 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions considered correctly engrossed: House Bills Nos. 198, 325, 367, 368, 449, 454, 545, 570, House Joint Resolutions Nos. 43, 47, 61.

QUILICI, Chairman

February 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bills Nos. 319, 414, 493, 521, 523, 569, 590, 656, House Joint Resolution No. 29.

QUILICI, Chairman

February 20, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly enrolled: House Joint Resolution No. 9.

QUILICI, Chairman

February 20, 1975

The following bill and resolution will be signed on adjournment February 20, 1975, in the office of the Speaker of the House of Representatives: Senate Bill No. 40, House Joint Resolution No. 9.

Edwin A. Smith, Chief Clerk
House of Representatives

February 19, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 58, respectfully report as follows: That House Joint Resolution No. 58 be amended in the introduced bill as follows:

1. Amend page 1, line 14.

Following: "legislature"

Strike: "affirms"

Insert: "recognizes"

2. Amend page 1, line 20.

Following: "legislature"

Strike: "affirms"

Insert: "recognizes"

3. Amend page 2, lines 4 and 5.

Following: "Montana"

Strike: "and the United States Environmental Protection Agency"

4. Amend page 2, line 5.

Following: "encouraged"

Insert: "to submit to the administrator of the Environmental Protection Agency a proposal"

5. Amend page 2, line 7.

Following: "Areas"

Insert: ", and to allow no redesignation of any area within Montana to a Class III area"

6. Amend page 2, line 8.

Following: "January 6, 1975"

Insert: ", Title 40, Chapter 1, C.F.R., Section 52.21"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 do pass.

YARDLEY, Chairman

Report adopted.

Objection raised by James Moore on the adverse committee report on House Bill No. 495. Referred to Second Reading.

Objection raised by James Moore on the adverse committee report on House Bill No. 277. Referred to Second Reading.

MESSAGE FROM THE OTHER HOUSE

February 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolutions were this day read three several times, and passed, titles and history agreed to, and the said bills and resolutions are herewith transmitted to the House for concurrence:

Senate Bill No. 136, introduced by Thiessen, Flynn

Senate Bill No. 291, introduced by Mathers, Devine, Thiessen, et al

Senate Bill No. 360, introduced by Foster, Etchart, Devine, et al

Senate Joint Resolution No. 18, introduced by McOmber (by request of Public Service Commission)

Senate Joint Resolution No. 27, introduced by Dunkle, Drake, R. Smith, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Jack Moore moved that the House reconsider its action on Second Reading on the previous legislative day on House Bill No. 546.

Motion failed.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was accepted for introduction on the Eighteenth Day and was assigned this day as follows:

House Bill No. 691, introduced by James Moore, Quilici, Sloan, Kimble: A bill for an act entitled: "An act relating to the payment of partial disability or indemnity benefits; and amending Section 92-709, R.C.M. 1947." Referred to Committee on State Administration.

The following bills were introduced, read first time and referred to committees:

House Bill No. 692, introduced by Bardanouve, Brand: A bill for an act entitled: "An act to appropriate moneys for Vietnam honorarium program for the fiscal year ending June 30, 1977." Referred to Committee on Appropriations.

House Bill No. 693, introduced by Schye, Johnston, Wyrick, Jack Moore, McKittrick, Robbins, Kimble: A bill for an act entitled: "An act to appropriate money to develop the Newland Creek recreation area for the biennium ending June 30, 1977; and providing for other matters relating to the appropriation." Referred to Committee on Appropriations.

House Joint Resolution No. 64, introduced by Richards: A Joint Resolution of the Senate and the House of Representatives of the State of Mon-

tana urging the Department of Highways to consider additional alternative design possibilities when developing plans for highway construction in hilly and mountainous areas of the state. Referred to Committee on Highways and Transportation.

Senate Bill No. 136, introduced by Thiessen, Flynn: A bill for an act entitled: "An act amending Section 84-2708, R.C.M. 1947, to allow a county to retain all moneys collected for gambling licenses." Referred to Select Committee on Gambling.

Senate Bill No. 291, introduced by Mathers, Thiessen, Devine, Hazelbaker, Goodover: A bill for an act entitled: "An act amending Section 53-106, R.C.M. 1947, relating to motor vehicle license plates by providing that motor vehicle number plates shall be issued for a minimum period of four years and that those issued in 1976 shall be a graphic design commemorating the bicentennial celebration of the founding of the United States of America." Referred to Committee on Highways and Transportation.

Senate Bill No. 360, introduced by Foster, Etchart, Devine, Manning, Kolstad, E. Smith, Jergeson: A bill for an act entitled: "An act amending Section 32-1123.3, R.C.M. 1947, to increase the allowed width of vehicles hauling hay on the highways in certain cases." Referred to Committee on Highways and Transportation.

Senate Joint Resolution No. 18, introduced by McOmber (by request of Public Service Commission): A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Public Service Commission to continue to expand the study by consumer counsel on remuneration paid to owners of natural gas rates for their resource into areas of adequate regulation and equitable rates for consumers. Referred to Committee on Business and Industry.

Senate Joint Resolution No. 27, introduced by Dunkle, Drake, R. Smith, McOmber, Lee, Devine, Olson, Kolstad, Norman, Colberg, Galt, Watt, Brown, Nelson, Goodover, Story, Himsl, Turnage, Graham, Manley, Aber, Romney, Boyland, Blaylock, Regan, Cetrone, Jergeson, Thiessen, Seibel, Warden, Towe, Conover, Mathers, McCallum, Healy, Rosell, Fasbender, Stephens, Murphy, Etchart, E. Smith, Lynch, Flynn, Roskie, Manning: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Congress of the United States to take whatever action is necessary to release impounded highway funds. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

James Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 20, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 328 be amended as follows:

1. Amend page 6, section 3, line 2.

Following: "counsel,"

Insert: "or the interested person or his legal representative,"

2. Amend page 6, section 3, line 3.

Following: "counsel,"

Insert: "or the interested person or his legal representative," (86-2)

And as amended, do pass. (72-15)

That House Bill No. 389 be amended as follows:

1. Amend the title, page 1, line 7.

Following: "districts"

Strike: "[or Indian non-profit corporations]"

Insert: "or Indian non-profit corporations"

2. Amend the title, page 1, line 8.

Following: "Montana"

Insert: "; and providing that this act shall be repealed July 1, 1977" (86-0)

And be further amended:

3. Amend page 2, in the Whereas segments.

Following: line 16.

Strike: "[(10) There is a specific need for teacher training programs]"

Insert: "(10) There is a specific need for teacher training programs"

4. Amend page 2, in the Whereas segments, line 19.

Following: "[and]"

Strike: "[for the Landless Indians at Great Falls, Montana;]"

Insert: "for the Landless Indians at Great Falls, Montana;"

5. Amend page 3, section 1, lines 7 and 8.

Following: "districts"

Strike: "[or by Indian non-profit corporations]"

Insert: "or by Indian non-profit corporations"

6. Amend page 3, section 1, lines 9 through 13.

Following: "Montana,"

Strike: "[, is established for the purpose of implementing Article X, section 1 of the Montana constitution which commits the state in its educational goals to the preservation of the Indian cultural integrity]"

Insert: ", is established for the purpose of implementing Article X, section 1 of the Montana constitution which commits the state in its educational goals to the preservation of the Indian cultural integrity"

7. Amend page 3, section 2, lines 22 through 25 and page 4, line 1.

Strike: "[(3) 'Indian non-profit corporation' means a non-profit corporation incorporated under the laws of Montana, under federal laws of the United States, or, under the laws of Indian tribes of Montana, the board of directors of which has a majority of persons of Indian descent.]"

Insert: "(3) 'Indian non-profit corporation' means a non-profit corporation incorporated under the laws of Montana, under federal laws of the United States, or, under the laws of Indian tribes of Montana, the board of directors of which has a majority of persons of Indian descent."

8. Amend page 4, section 2, following line 1.

Insert: a new subsection (4) to read as follows:

"(4) 'Landless Indian' means persons of Chippewa and/or Cree descent who trace their ancestry to persons appearing on the Roe Cloud Roll and those persons recognized as Indian by the landless Chippewa and Cree community."

9. Amend page 4, section 3, line 3.

Following: "districts"

Strike: "[and non-profit corporations]"

Insert: "and non-profit corporations"

10. Amend page 4, section 3, subsection (2), line 9.

Following: "(2)"

Strike: "School District #6"

Insert: "Education Commission"

11. Amend page 4, section 3, subsection (3), line 14.

Following: "(3)"

Strike: "School Districts #2 and #3"

12. Amend page 4, section 3, subsection (3), line 14.

Following: "Crow"

Insert: "Education Commission on the Crow Reservation, and Northern Cheyenne Education Commission on the Northern Cheyenne"

13. Amend page 4, section 3, line 15.

Strike: "(8) Montana United Scholarship Service, Inc., Great Falls, Montana.]"

Insert: "(4) Montana United Scholarship Service, Inc., Great Falls, Montana, who shall administer the program for the Landless Indians."

14. Amend page 4, section 4, subsection (1), line 20.

Strike: "[or non-profit Indian corporations]"

Insert: "or non-profit Indian corporations"

15. Amend page 5, section 4, subsection (3), line 7.

Following: "distributed"

Strike: "[annually]"

Insert: "annually"

16. Amend page 5, section 4, subsection (3), line 8.

Following: "districts"

Strike: "[or non-profit Indian corporations]"

Insert: "or non-profit Indian corporations"

17. Amend page 5, following line 17.

Insert: a new section 5 to read as follows:

"Section 5. Any appropriation of moneys to effectuate this act reverts to the general fund on July 1, 1977."

Renumber: subsequent section.

18. Amend page 5, new section 6, line 18.

Following: "July 1,"

Strike: "1976"

Insert: "1977" (85-1)

And as amended, do pass. (83-5)

(Material in brackets denotes cancelled type.)

That House Bill No. 107 do pass. (57-20)

That House Bill No. 130 do pass. (62-17)

That House Bill No. 207 do pass. (68-7)

That House Bill No. 372 be amended as follows:

1. Amend page 4, section 2, line 25.

Following: "the"

Strike: "administrators, executors"

Insert: "personal representatives"

2. Amend page 5, section 2, line 12.

Following: "the"

Strike: "executor, administrator"

Insert: "personal representative"

3. Amend page 5, section 2, line 18.

Strike: "executor, administrator"

Insert: "personal representative"

4. Amend page 5, section 2, line 20.

Following: "No"

Strike: "executor, administrator"

Insert: "personal representative" (78-0)

And be further amended:

5. Amend page 6, section 3, line 14.

Strike: "executor, administrator"

Insert: "personal representative" (73-0)

And as amended, do pass. (85-0)

That House Bill No. 388 do pass. (79-0)

That House Bill No. 427 be amended as follows:

1. Amend page 7, section 7, line 5.

Strike: "less"

Insert: "more"

2. Amend page 7, section 7, line 6.

Strike: "and not more than one thousand (\$1000)" (42-40)

And as amended, do pass. (81-5)

That House Bill No. 463 do pass. (81-0)

That House Bill No. 464 do pass. (86-0)

That House Bill No. 469 do pass. (80-1)

That House Bill No. 470 do pass. (72-12)

That House Bill No. 473 do pass. (87-0)

That House Bill No. 497 do pass. (76-0)

That House Bill No. 498 do pass. (83-0)

That the Committee rise and report and beg leave to sit again.

JAMES MOORE, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 20, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 600, respectfully report as follows: That House Bill No. 600 do pass.

BRADLEY, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 605, respectfully report as follows: That House Bill No. 605 do pass.

HUENNEKENS, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 571, respectfully report as follows: That House Bill No. 571 do pass.

HUENNEKENS, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 364, respectfully report as follows: That House Bill No. 364 be amended in the introduced bill as follows:

1. Amend title, page 1, line 4.

Following: "amend"

Strike: "section"

Insert: "sections 23-3509, 23-3513, 23-4501, 23-4503, 23-4510.1, and"

2. Amend page 3, section 3, following line 9.

Insert: "Section 4. Section 23-3509, R.C.M. 1947, is amended to read as follows:

'23-3509. Printing of candidate's name and party designation on ballot—no party designation for candidates for supreme and district court judgeships—persons nominated by more than one party.

(1) Candidates' names shall be printed in one place on the ballot with the name of the party or political organization, as found in the certificate of nomination in not more than three (3) words, printed opposite the name.

(2) The names of candidates for [chief justice, associate] justices[,] of the supreme court, and district court judges shall be followed by: "Nominated without party designation."

(3) If a person is nominated for the same office by more than one (1) party, he shall file a written election with the officer with whom he filed his declaration of nomination in the time required to file the declaration. If he fails or neglects to file an election, his name shall appear under the party with whom his nominating declaration was first filed.'

Section 5. Section 23-3513, R.C.M. 1947, is amended to read as follows: '23-3513. Order of placement. (1) The order of offices on the ballot in the first column designated "state and national," shall be as follows:

(a) If the election is in a year in which a president of the United States is to be elected, in spaces separated from the balance of the party tickets by a heavy black line, shall be the names and spaces for voting for candidates for president and vice-president. The names of candidates for president and vice-president for each political party shall be grouped together.

(b) United States senator;

- (c) United States representative;
 - (d) Governor and lieutenant governor;
 - (e) Secretary of state;
 - (f) Attorney general;
 - (g) State treasurer;
 - (h) State auditor;
 - (i) Public service commissioners;
 - (j) State superintendent of public instruction;
 - (k) Clerk of the supreme court;
 - [(l) Chief justice of the supreme court;]
 - [(m)] (l) [Associate justices;] Justices of the supreme court;
 - [(n)] (m) District court judges;
 - [(o)] (n) State senators, members of the house of representatives.
- If any offices are not to be elected, they shall not be designated but the order of offices to be filled shall maintain their relative positions.
- (2) In the column designated, "county and township," the following order of placement shall be observed:
- (a) Clerk of the district court;
 - (b) County commissioner;
 - (c) County clerk and recorder;
 - (d) Sheriff,
 - (e) County attorney;
 - (f) County auditor;
 - (g) Other offices in the order designated by the registrar.
- (3) In the third column constitutional amendments shall be followed by referendum and initiative measures.'

Section 6. Section 23-4501, R.C.M. 1947, is amended to read as follows:

'23-4501. Judicial offices as separate and independent offices for election purposes. (1) Each vacancy for [associate] justice of the supreme court is a separate and independent office for election purposes. [The chief justice of the supreme court shall assign an individual number to the four (4) associate justices and certify these numbers to the office of the secretary of state not less than one hundred eighty (180) days before a primary nominating election.]

(2) Each judicial office in a district which has more than one (1) district judge is a separate and independent office for election purposes.'

Section 7. Section 23-4503, R.C.M. 1947, is amended to read as follows:

'23-4503. Declarations for nomination—contents—fee. (1) Judicial candidates shall file declarations for nomination as required by the primary election laws in a form specified by the secretary of state.

(2) Declarations for nomination as [associate] justice of the supreme court shall designate the [number of the office] district. A person can make only one (1) designation.

(3) Candidates for nomination as district judge in a district having more than one (1) judge shall specify the number of the office. His candidacy is limited to the number specified.

(4) Declarations shall not indicate political affiliation. The candidate shall not state in his declaration any principles or measures he advocates nor any slogans.

(5) Each person filing a declaration shall remit the fee prescribed by law for the position he seeks. Declarations for justice of the supreme court and district court judge shall be filed with the secretary of state.'

Section 8. Section 23-4510.1, R.C.M. 1947, is amended to read as follows:

'23-4510.1. Form of ballot on retention of incumbent supreme court justice. In the event there is no candidate for the office of supreme court

justice [or chief justice] other than the incumbent, the name of the incumbent shall be placed on the official ballot for the general election as follows:

Shall [(chief)] justice (here the name of the incumbent justice is inserted) of the supreme court of the state of Montana be retained in office for another term?

☐ YES

☐ NO

(Mark an "x" before the word "yes" if you wish the justice to remain in office. Mark an "x" before the word "no" if you do not wish the justice to remain in office.)"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 120, respectfully report as follows: The amendments to House Bill No. 120 are consistent with the original title and therefore can be placed on Second Reading with House Bill No. 120.

DRISCOLL, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 443, respectfully report as follows: That House Bill No. 443 be amended in the introduced bill as follows:

1. Amend page 2, section 1, line 12.

Following: "type of"

Strike: "workman"

Insert: "worker"

2. Amend page 2, section 1, line 19.

Following: "type of"

Strike: "workman"

Insert: "worker"

3. Amend page 4, section 1, subsection (3), line 8.

Following: "pay"

Strike: "his workmen"

Insert: "workers"

4. Amend page 4, section 1, subsection (3), line 11.

Following: "each"

Strike: "workman"

Insert: "worker"

5. Amend page 4, section 1, subsection (3), line 21.

Following: "individual"

Strike: "workman"

Insert: "worker"

6. Amend page 4, section 1, subsection (3), line 22.

Following: "due"

Strike: "him"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 129, respectfully report as follows: That Senate Bill No. 129 be concurred in.

KIMBLE, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 be amended in the introduced bill as follows:

1. Amend page 3, following line 23.

Insert: a new section 2 to read as follows:

"Section 2. Funding. In compliance with Section 43-517, R.C.M. 1947, the administration of this act is declared a public purpose of a county, city, or town which may be paid out of the general fund of the governing body and financed by a levy on the taxable value of property within the county, city, or town."

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 be amended in the introduced bill as follows:

1. Amend page 1, the title, line 5.

Following: "87-104"

Strike: "through"

Insert: ", "

2. Amend page 1, the title, line 6.

Following: "87-120 through"

Strike: "87-136"

Insert: "87-124, 87-127 through 87-136"

3. Amend page 1, the title, line 12.

Following: "87-117,"

Strike: "87-118"

4. Amend page 54, section 33, subsection (c), line 24.

Following: "including"

Strike: "[commission] divisions"

Insert: "commission"

5. Amend page 57, section 34, line 1.

Following: "87-117,"

Strike: "87-118,"

(Material in brackets denotes cancelled type.)

And as amended do pass.

KIMBLE, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 27, respectfully report as follows: That House Joint Resolution No. 27 be amended in the introduced resolution as follows:

1. Amend page 2, lines 2, 3 and 4.

Following: "only"

Strike: "when the customer's past record with similar utilities indicates that he is not likely to pay his utility bills on time"

Insert: "under the following conditions:

(a) When the customer's past record with a similar utility indicates a poor record of payment;

(b) When a new customer cannot secure a cosigner for guarantee of payment; or

(c) When a new customer cannot furnish a letter of good credit from a reliable source"

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 557, respectfully report as follows: That House Bill No. 557 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (3) (b), line 14.

Following: "(\$250,000)"

Insert: ", and the results of which will be made available to the public and legislature by 1977"

2. Amend page 3, section 2, subsection (1) (b), line 7.

Following: "(\$250,000)"

Insert: ", and the results of which will be made available to the public and legislature by 1977."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration House Bill No. 437, respectfully report as follows: That House Bill No. 437 do not pass.

HUENNEKENS, Chairman

February 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 456, respectfully report as follows: That House Bill No. 456 do not pass.

HUENNEKENS, Chairman

February 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 be amended in the Second Reading bill as follows:

1. Amend title, page 1, line 5.

Following: "who"

Insert: "begin"

2. Amend title, page 1, line 6.

Following: "Montana"

Strike: "cities or towns with less than 10,000 population"

Insert: "counties with a shortage of medical doctors and dentists"

3. Amend page 1, section 1, lines 9 through 25 and page 2, line 1.

Following: "Section 1."

Strike: all of section 1 in its entirety.

Insert: "Definition of terms: (1) 'Montana counties with a shortage of medical doctors' means those counties with a patient/doctor ratio of one (1) to three thousand (3,000) or more as certified by the Montana board of medical doctors.

(2) 'Montana counties with a shortage of dentists' means those counties with a patient/dentist ratio of one (1) to five thousand (5,000) or more as certified by the Montana board of dentistry.

(3) 'Medical doctors and dentists who begin practice' means those doctors or dentists, licensed under the laws of Montana who establish a residence and practice with the intention of remaining five (5) years in a Montana county after July 1, 1975 and are certified by the Montana department of revenue.

(4) 'Residence and practice of a medical doctor or dentist' means that a doctor or dentist has lived and practiced within the county for a period of at least a full calendar year.

Section 2. Doctors and dentists who begin practice in Montana counties with a shortage of medical doctors or dentists may, upon application to the department of revenue, elect to take the applicable income tax credit pursuant to section 3 of this act on Montana income taxes paid beginning in 1977.

Section 3. The income tax credit allowed under this act shall be:

(1) Eighty percent (80%) of the state income tax due for the first year of residence.

(2) Sixty percent (60%) of the state income tax due for the second year of residence.

(3) Forty percent (40%) of the state income tax due for the third year of residence.

(4) Twenty percent (20%) of the state income tax due for the fourth year of residence.

(5) Ten percent (10%) of the state income tax due for the fifth year of residence."

And as amended, do not pass.

HUENNEKENS, Chairman

Objection raised by Vincent on the adverse committee report on House Bill No. 437. Referred to Second Reading.

MOTIONS

Meloy moved that House Joint Resolution No. 47 be taken from engrossing and be placed on Second Reading this day.

Motion carried.

Palmer moved that House Bill No. 504 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker announced that the Senate has agreed, and Saturday, March 1, and Monday, March 3 will not be legislative days, in order to have a short break after the transmittal date.

REPORT OF STANDING COMMITTEE

February 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 be amended in the introduced bill as follows:

1. Amend title, page 1, lines 4 and 5.

Following: "an act"

Strike: "to amend section 94-611.1, R.C.M. 1947,"

2. Amend title, page 1, line 7.

Following: "providing for"

Strike: "punitive"

3. Amend page 1, section 1, lines 11 through 25 and page 2, section 1, lines 1 through 21.

Following: "Section 1."

Strike: Section 1 in its entirety.

Insert: "The parents or legal guardian of a minor who knowingly removes merchandise from a merchant's premises without paying therefor or who knowingly conceals merchandise to avoid paying therefor shall be civilly liable to the merchant for the retail value of the merchandise removed or concealed, costs of suit and a reasonable attorney's fee. Recovery under this subsection is not limited by section 61-112.1 or any other provision of law which limits liability of a parent or legal guardian for the tortious conduct of a minor. In the discretion of the district court the proceeding under this section may be confidential."

And as amended, do not pass.

HUENNEKENS, Chairman

MESSAGES FROM THE OTHER HOUSE

February 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bill was this day on Committee report, not concurred in, as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 172, introduced by Federico, Travis, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, titles and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 70, introduced by James Moore, Vincent, et al

Respectfully yours,

John N. Hanson,
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

James Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 20, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 538 do pass. (78-2)

That House Bill No. 597 do pass. (77-1)

That House Bill No. 618 do pass. (87-0)

That House Joint Resolution No. 47 be amended as follows:

1. Amend page 2, lines 16 and 17.

Strike: "a fair and equitable bar examination which is open to all applicant aspirants to the Montana bar,"

Insert: "the rule establishing qualifications for applicants to the Montana bar which existed prior to December 31, 1969," (79-8)

And as amended, do pass. (63-28)

That Senate Bill No. 170 be passed to the bottom of the board.

That Senate Bill No. 178 be concurred in. (85-1)

That Senate Bill No. 184 be concurred in. (92-0)

That Senate Bill No. 232 be passed for the day.

That Senate Bill No. 108 be passed for the day.

That Senate Bill No. 150 be concurred in. (58-36)

That Senate Bill No. 168 be passed for the day.

That Senate Bill No. 170 be concurred in. (87-0)

That the Committee rise and report.

JAMES MOORE, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 20, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 683.

QUILICI, Chairman

February 20, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 be amended in the introduced bill as follows:

1. Amend page 1, section 2, line 16.

Following: "of"

Strike: "the"

2. Amend page 2, section 3, line 7.

Strike: "intergovernmental relations"

Insert: "community affairs"

3. Amend page 3, section 3, line 1.

Following: "of"

Insert: "acquiring,"

4. Amend page 4, section 3, line 18.

Following: "and"

Strike: "for the first two years of"

Insert: "initial"

5. Amend page 5, section 3, line 3.

Following: "agencies,"

Insert: "limited-profit housing sponsor, non-profit corporation,"

6. Amend page 5, section 3, line 23.

Following: "a"

Strike: "first"

Insert: "valid"

7. Amend page 7, section 3, line 22.

Following: "disability"

Strike: "."

Insert: ","

8. Amend page 8, section 3, line 1.

Following: "housing"

Strike: "."

Insert: ";

(e) the availability and cost of housing in particular areas; and

(f) needs of particular persons or families due to age or physical handicaps.

(17) 'Rehabilitation' means the repair, reconstruction, or improvement of an existing structure to provide decent, safe and sanitary housing or to conform housing with state or local health, building, fire prevention, and safety codes as determined by the board."

9. Amend page 8, section 4, line 6.

Following: "of:"

Strike: "(a) ex officio, the director of intergovernmental relations;

(b) ex officio, the director of social and rehabilitation services;

(c) ex officio, the director of revenue; and"

10. Amend page 8, section 4, line 12.

Strike: "(d) four(4)"

Insert: "seven (7)"

11. Amend page 8, section 4, lines 14 and 15.

Following: "housing"

Strike: the material in lines 14 and 15 in its entirety.

Insert: ", economics or finance."

12. Amend page 8, section 4, line 21.

Strike: "intergovernmental relations"

Insert: "community affairs"

13. Amend page 10, section 5, line 3.

Strike: "requests"

Insert: "bequests"

14. Amend page 10, section 5, lines 5 through 23.

Following: "(9)"

Strike: the material in lines 5 through 23 in its entirety.

Insert: "acquire real or personal property or any right, interest or easement therein, by gift, purchase, transfer, foreclosure, lease or otherwise; hold, sell, assign, lease, encumber, mortgage or otherwise dispose thereof; hold, sell, assign or otherwise dispose of any mortgage or loan owned by it or in its control or custody; release or relinquish any right, title, claim, interest, easement, or demand, however acquired, including any equity or right of redemption; do any of the foregoing by public or private sale, with or without public bidding; commence any action to protect or enforce any right conferred upon it by any law, mortgage, contract or other agreement; bid for and purchase property at any foreclosure or other sale, or acquire or take possession of it in lieu of foreclosure; and operate, manage, lease, dispose of, and otherwise deal with such property, in any manner necessary or desirable to protect its interests and the holders of its bonds or notes, and consistent with any agreement with such holders;

(10) service and contract and pay for the servicing of loans;"

15. Amend page 11, section 5, line 12.

Following: "1947"

Insert: ", except all investment income from funds of the board, less the cost for investment as prescribed by law, shall be deposited in the housing finance account"

16. Amend page 12, section 5, line 16.

Following: ";

Strike: "and"

17. Amend page 12, section 5, line 18.

Following: "bonds"

Strike: "."

Insert: "; and"

(20) develop special programs for housing developments for veterans of the armed forces of the United States who are unable to acquire safe and sanitary housing through lending institutions by conventional means."

18. Amend page 13, section 6, line 17.

Following: "of"

Strike: "first mortgage"

19. Amend page 13, section 6, line 21.

Following: "insured"

Strike: "mortgage"

20. Amend page 13, section 6, line 24.

Following: "upon"

Strike: "reasonable"

Insert: "reasonably"

21. Amend page 14, section 6, line 2.

Following: "respecting"

Strike: "its mortgage, construction, and temporary lending programs and their terms and conditions,"

22. Amend page 15, section 6, line 2.

Following: "residents."

Insert: "(4) The board may require that loans made to or securities issued by lending institutions shall be additionally secured as to payment of principal and interest by a pledge of and a lien upon collateral security in amounts and consisting of obligations and securities as the board determines necessary to assure prompt payment of loans and interest. Collateral may be required to be lodged with a bank or trust company designated by the board as custodian, or the board may enter into an agreement with the lending institution requiring it to identify and maintain and service the collateral and the income therefrom solely in accordance with the agreement. A copy of each agreement and any revisions or supplements thereto shall be filed with the secretary of state, and no further filing or other action under the uniform commercial code or any other law shall be required to perfect the security interest of the board in the collateral or in any additions or substitutions. The lien and trust is binding from the time it is made, against all parties having claims of any kind in tort, contract, or otherwise against the lending institution."

23. Amend page 15, section 7, line 10.

Following: "enterprise"

Strike: "and investment have been unable, without assistance, to provide"

Insert: "has not provided"

24. Amend page 15, section 7, line 14.

Following: "or"

Strike: "to provide"

Insert: "provided"

25. Amend page 15, section 7, line 25.

Following: "desires."

Insert: a new subsection (5) to read as follows:

"(5) that the housing development does not involve the construction of second homes. For purposes of this paragraph, 'second home' means a home which would not qualify as the primary residence of the taxpayer for federal income tax purposes relating to capital gains on the sale or exchange of residential property."

26. Amend page 17, section 8, line 13.

Following: "costs"

Insert: "prior to periodic payments or"

27. Amend page 18, section 9, line 15.

Following: "revenues"

Insert: ", assets,"

28. Amend page 18, section 9, line 17.

Following: "revenues"

Insert: ", assets or moneys"

29. Amend page 19, section 10, line 12.

Following: "revenues"

Insert: "or property"

30. Amend page 21, section 12, line 18.

Following: "accountable"

Insert: "by reason of the issuance of, or"

31. Amend page 25, section 18, line 18.

Following: "convening"

Insert: "of the"

32. Amend page 26, section 19, line 16.

Following: "obligations"

Strike: "and for purposes of the board"

33. Amend page 26, section 20, line 25.

Following: "applied"

Strike: ", in addition to other"

34. Amend page 27, section 20, line 1.

Strike: "authorized purposes,"

35. Amend page 27, section 21, line 17.

Following: "that"

Insert: "the state of Montana is not liable on the obligation and the obligation is not a debt of the state and"

36. Amend page 27, section 23, line 24.

Following: "act,"

Insert: "or by local housing authorities under Title 35, chapter 1,"

37. Amend page 28, section 23, line 3.

Following: "taxes."

Insert: "The board is not required to pay recording or transfer fees or taxes on instruments recorded by it."

38. Amend page 28, section 24, line 15.

Following: "law"

Insert: "and except as necessary to maintain the capital reserve and revolving accounts"

39. Amend page 29, section 24, line 12.

Following: "act."

Insert: a new section to read as follows:

"Section 25. Pledge against impairment of contracts. In accordance with the constitutions of the United States and the state of Montana the state pledges that it will not, in any way, impair the obligations of any agreement between the board and the holders of notes and bonds issued by the board."

Renumber: all subsequent sections accordingly.

And as amended, do pass.

BRAND, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 113, respectfully report as follows: That Senate Bill No. 113 be concurred in.

W. BAETH, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 353, respectfully report as follows: That House Bill No. 353 do pass.

MENAHAN, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 do pass.

MENAHAN, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 445, respectfully report as follows: That House Bill No. 445 do pass.

MENAHAN, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 434, respectfully report as follows: That House Bill No. 434 be amended in the introduced bill as follows:

1. Amend section 1, page 1, line 25 and page 2, line 1.

Following: "optometric association"

Strike: ", and dental services as approved by the Montana optometric association"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 648, respectfully report as follows: That House Bill No. 648 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (2)(b), line 16.

Strike: "not connected to a private or public utility system"

2. Amend page 8, section 6, lines 7 and 8.

Following: "plumber"

Strike: "; and under the rules made by the board"

Insert: "only those apprentices registered with the state apprenticeship bureau, labor standards division, will be recognized by the department."

3. Amend page 9, section 8, line 15.

Following: "not to"

Strike: "require employment of licensed"

Insert: "impose penalties on hiring of unlicensed"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 585 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, O'Connell, Robbins, Schye, Scully, Seifert, Sivertsen, Smith, Staigmiller, Stoltz, Thomas, Tropila, Underdal, Williams, Wyrick, Yardley, Mr. Speaker. Total 68.

Noes: Brand, Dussault, Federico, Gilligan, Gunderson, Harper, Holmes, Johnson, Kemmis, Lester, Murphy, Palmer, Richards, Shelden, Sloan, South, Teague, Vincent. Total 18.

Excused: Kendall, Mular, Wolfe, Wood. Total 4.

Absent or not voting: R. Baeth, Bardanouve, Bradley, Hageman, Kelly, Lynch, Mercer, Quilici, Rasmussen, Travis. Total 10.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 105 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, McFadden, Magone, Meloy, Menahan, Mercer, Jack Moore,

James Moore, Murphy, O'Connell, Palmer, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmillar, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wyrick. Total 74.

Noes: Brand, Fishbaugh, Harper, Helmbrecht, Huennekens, Johnston, Luebeck, Manuel, Marks, Sloan, Teague. Total 11.

Excused: Kendall, Mular, Wolfe, Wood. Total 4.

Absent or not voting: Bardanouve, Bradley, Fabrega, Federico, Lynch, Quilici, Richards, South, Travis, Yardley, Mr. Speaker. Total 11.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 358 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Tropila, Underdal, Williams, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Bradley, Brand, Dussault, Ellis, Gunderson, Harper, Huennekens, Johnson, Kemmis, Lester, Luebeck, James Moore, Richards, Shelden, Vincent. Total 15.

Excused: Kendall, Mular, Wolfe, Wood. Total 4.

Absent or not voting: Bardanouve, Fabrega, Lynch, Quilici, Travis. Total 5.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 412 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Yardley, Mr. Speaker. Total 74.

Noes: Asher, Babcock, Barrett, Bertelsen, Casey, Conroy, Ellerd, Ellison, Guthrie, Hager, Hubing, Jacobsen, Kropp, Lockrem, Lund, Marks, Mercer, Seifert, Smith, Wyrick. Total 20.

Excused: Kendall, Mular, Wolfe, Wood. Total 4.

Absent or not voting: Bardanouve, Lynch. Total 2.

House Bill No. 480 passed by the following vote:

Ayes: Aageson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kummerfeldt, Lester, Lockrem, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Yardley. Total 69.

Noes: C.R. Anderson, J. Anderson, Babcock, Bertelsen, Day, Fishbaugh, Gould, Guthrie, Gwynn, Hubing, Kanduch, Kimble, Kropp, Kvaalen, Marks, Schye, Smith, South, Staigmilller, Underdal, Wyrick. Total 21.

Excused: Kendall, Mular, Wolfe, Wood. Total 4.

Absent or not voting: Bardanouve, Ellison, Lien, Lory, Lynch, Mr. Speaker. Total 6.

House Bill No. 518 passed by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Williams, Yardley. Total 78.

Noes: C.R. Anderson, Bertelsen, Dussault, Ellis, Gerke, Gwynn, Herlevi, Holmes, Johnson, Kemmis, Shelden, South, Underdal, Vincent, Wyrick, Mr. Speaker. Total 16.

Excused: Kendall, Mular, Wolfe, Wood. Total 4.

Absent or not voting: Bardanouve, Lynch. Total 2.

House Bill No. 579 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Barrett, Casey, Ellerd, Kropp, Mercer, Robbins, Schye, Seifert, Sloan, Smith, Underdal. Total 11.

Excused: Kendall, Mular, Wolfe, Wood. Total 4.

Absent or not voting: Bardanouve, Ellison, Lynch. Total 3.

House Bill No. 631 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Babcock, Barrett, Ellison, Fabrega, Guthrie, Johnston, Kropp, Kvaalen, Lockrem, Lory, Lund, Mercer, Schye, Seifert, Smith, Underdal. Total 16.

Excused: Kendall, Mular, Wolfe, Wood. Total 4.

Absent or not voting: Lynch. Total 1.

Senate Bill No. 68 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Gilligan, Harper. Total 2.

Excused: Kendall, Mular, Wolfe, Wood. Total 4.

Absent or not voting: Lynch, Travis. Total 2.

Driscoll moved that the House adjourn until 1:30 p.m., February 21, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

HOUSE JOURNAL
OF THE
Forty-Fourth Legislature
OF THE
STATE OF MONTANA

VOLUME II

**Held at Helena, the Seat of Government of Said State,
Commencing in Regular Session January 6, 1975, and
Ending April 19, 1975.**

**Commencing in Special Session August 4, 1975, and
Ending August 4, 1975.**

PAT MCKITTRICK
Speaker of the House

Edwin A. Smith
Chief Clerk of the House

Linda Barrett
Journal Clerk

PUBLISHED BY
THE MONTANA LEGISLATIVE COUNCIL

FORTIETH LEGISLATIVE DAY

Helena, Montana
February 21, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Kendall, Jack Moore, and Wood, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 20, 1975

The following bill and resolution were signed in the office of the Speaker of the House of Representatives on February 20, 1975: Senate Bill No. 40, House Joint Resolution No. 9.

Edwin A. Smith, Chief Clerk
House of Representatives

February 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 107, 130, 207, 463, 464, 470, 473, 497, 498.

QUILICI, Chairman

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bills Nos. 353, 360, 385, 404, 433, 445, House Joint Resolution No. 54.

QUILICI, Chairman

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 328.

QUILICI, Chairman

February 20, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 324.

QUILICI, Chairman

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 22, 37.

QUILICI, Chairman

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 388, 469, 538, 597, 618.

QUILICI, Chairman

February 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 239, 277, 302, 351, 437, 495, 499, 571, 583, 600, 605.

QUILICI, Chairman

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bills Nos. 223, 557, House Joint Resolution No. 27.

QUILICI, Chairman

February 21, 1975

The following bills and resolution will be signed on adjournment on February 21, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 22, 37, House Joint Resolution No. 21.

Edwin A. Smith, Chief Clerk
House of Representatives

February 21, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 608, respectfully report as follows: That House Bill No. 608 do pass.

GUNDERSON, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 483, respectfully report as follows: That House Bill No. 483 do pass.

GUNDERSON, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Resolution No. 2, respectfully report as follows: That House Resolution No. 2 be amended as follows:

1. Amend page 1, following line 23.

Insert: "Pat McKittrick, Speaker — House, 6 days, 48 hours
(plus approximately \$40.00 for phone calls)

John Driscoll, Majority Leader — 5 days, 40 hours
(plus approximately \$100.00 for phone calls)"

And as amended, be adopted.

STOLTZ, Vice-Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Bill No. 63, respectfully report as follows: That Senate Bill No. 63 be not concurred in.

STOLTZ, Vice-Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 459, respectfully report as follows: That House Bill No. 459 do not pass.

GUNDERSON, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 476, respectfully report as follows: That House Bill No. 476 do not pass.

GUNDERSON, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Resolution No. 3, respectfully report as follows: That House Resolution No. 3 be amended in the introduced bill as follows:

1. Amend page 2, line 6.

Strike: "Secretary"

Insert: "Clerk"

And as amended, be adopted.

STOLTZ, Vice-Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 190, respectfully report as follows: That House Bill No. 190 be amended in the introduced bill as follows:

1. Amend page 1, section 1, lines 22 through 25.

Following: "and/or"

Strike: "[matrons], attendants nor shall it apply to actions of school boards in appointing school personnel, including teachers, except that they may not be related by consanguinity or affinity within one degree."

Insert: "matrons. Nothing in this section prohibits a school board from appointing school personnel, including teachers, related by one (1) degree of consanguinity or affinity, if, after notice of an available position by publication in a newspaper of general circulation in the school district, there is no applicant for the position who is not related to a member of the school board."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (2) (a), line 11.

Following: "(9)"

Insert: "or by using the number of mills which would fund the permissive amount, whichever is less"

2. Amend page 2, section 1, subsection (2) (b), line 24.

Following: "(6)"

Insert: "or by using the number of mills which would fund the permissive amount, whichever is less"

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

Objection raised by Babcock on the adverse committee report on House Bill No. 348. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

February 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 296, introduced by Lynch

Senate Bill No. 104, introduced by Flynn, Turnage

Senate Bill No. 180, introduced by Lynch, Lee, Healy

Senate Bill No. 305, introduced by Watt, Mehrens, Lee

Senate Bill No. 339, introduced by Roberts

Senate Bill No. 345, introduced by E. Smith, McCallum, Jergeson, et al

Senate Bill No. 353, introduced by Murphy, Manley

Senate Bill No. 372, introduced by Foster (by request of the Department of Livestock)

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed,

titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 194, introduced by Warden, Blaylock, Cetrone, et al

Senate Bill No. 247, introduced by Hazelbaker, Mathers, Murphy

Senate Bill No. 271, introduced by Romney

Senate Bill No. 298, introduced by Drake, Dunkle, Mathers, et al

Senate Bill No. 316, introduced by Lee, Flynn, Stephens, et al

Senate Bill No. 348, introduced by Lynch

Senate Bill No. 352, introduced by Galt, Aber, Jergeson

Senate Bill No. 364, introduced by Fasbender (by request of Governor)

Senate Bill No. 374, introduced by Lynch

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Huennekens moved that the House reconsider its action of the previous legislative day in adopting the adverse committee report on Senate Bill No. 105 and request it be returned to the House and be placed on Second Reading this day. Huennekens requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: C. R. Anderson, Babcock, Bardanouve, Bengtson, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Fabrega, Fagg, Finley, Fleming, Gerke, Gilligan, Gould, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Luebeck, McFadden, Manuel, Marks, Meloy, Menahan, James Moore, Mular, O'Connell, Palmer, Quilici, Richards, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 55.

Noes: Ageson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Brand, Casey, Conroy, Ellis, Ellison, Fishbaugh, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Hubing, Kropp, Lien, Lockrem, Lory, Lund, Magone, Mercer, Murphy, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, Thomas, Wyrick, Yardley. Total 37.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Day, Ellerd, Federico, Lynch, Scully. Total 5.

Driscoll moved that the rules be temporarily suspended and that all bills reported out of committee with no amendments be placed on Second Reading this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that all bills which pass Second Reading this day without amendments be placed on Third Reading this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was accepted for introduction on the Eighteenth Day and was assigned this day as follows:

House Bill No. 694, introduced by Richards, McKittrick: A bill for an act entitled: "An act directing the governor to develop a plan to coordinate the transportation planning and administration functions of state government; to develop a Department of Transportation; and to submit that plan together with implementing legislation to the Forty-fifth Legislature." Referred to Committee on Highways and Transportation.

The following bills were introduced, read first time and referred to committees:

House Bill No. 695, introduced by McKittrick: A bill for an act entitled: "An act appropriating five thousand dollars for the biennium to the Legislative Council for expenses of the Montana delegation of the Western States Forestry Task Force." Referred to Committee on Appropriations.

House Joint Resolution No. 65, introduced by Asher, Marks, Lockrem, Day, Conroy, Babcock, Hubing, Kropp, Fabrega, Jack Moore, Gould, J. Anderson, Seifert, Teague, Ellerd, Underdal, Fagg, Wyrick, Manuel, Hager, Jacobsen, Bertelsen, Lund, Johnston, Schye, R. Baeth, Tropila, Ellison, Smith, Ellis, Casey, Aageson, Guthrie, Staigmiller, Robbins, Lien, Kanduch, Barrett, Sivertsen, Gwynn, Kummerfeldt: A Joint Resolution of the Senate and the House of Representatives of the State of Montana declaring the Montana State Legislature's unalterable opposition to registration and confiscation of firearms. Referred to Committee on Fish and Game.

Senate Bill No. 296, introduced by Lynch: A bill for an act entitled: "An act declaring a contract for the sale of gasoline on any basis other than gross volume delivered to be void." Referred to Committee on Business and Industry.

Senate Bill No. 104, introduced by Turnage: A bill for an act entitled: "An act directing County Treasurers to accept payment of taxes from the buyer of a portion of a listed parcel of land, when the purchase has been recorded; directing the cooperation of the Department of Revenue; amending Section 84-508, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 180, introduced by Lynch, Lee, Healy: A bill for an act entitled: "An act to provide a thirty year statute of limitations on all unpaid taxes levied and assessed prior to said thirty year period, against real property, and to provide for the destruction of all such tax records over thirty years old." Referred to Committee on Taxation.

Senate Bill No. 305, introduced by Watt, Mehrens, Lee: A bill for an act entitled: "An act amending Section 84-4905, R.C.M. 1947, to provide that adjusted gross income does not include benefits paid from police reserve funds to retired policemen." Referred to Committee on Taxation.

Senate Bill No. 339, introduced by Roberts: A bill for an act entitled: "An act to require a judicial designation of certain felony offenders as persistent felony offenders for purposes of parole eligibility; to equalize good time allowances for all offenders; to allow inmates good time for designated self-improvement activities; amending Sections 80-1905, 95-3214, and 95-3215, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 345, introduced by E. Smith, McCallum, Jergeson, Kolstad, Graham, Manley: A bill for an act entitled: "An act to amend the Open Cut Mining Act to provide an exemption of the fees and bonds

for the state of Montana and its subdivisions." Referred to Committee on Natural Resources.

Senate Bill No. 353, introduced by Murphy, Manley: A bill for an act entitled: "An act to amend Section 27-612, R.C.M. 1947, to exclude establishments that cut and wrap wild game for their customers from the definition of meat market." Referred to Committee on Fish and Game.

Senate Bill No. 372, introduced by Foster (by request of Department of Livestock): A bill for an act entitled: "An act revising the livestock market laws to permit the Department of Livestock to regulate certain types of nonmarket sales and to permit licensed livestock markets to conduct occasional off-premise sales; amending section 46-906, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 194, introduced by Warden, Blaylock, Cetrone, Roskie, Flynn, Romney, Himsl, R. Smith, Norman, Turnage: A bill for an act entitled: "An act to allow the creation of a library depreciation reserve fund for city government." Referred to Committee on Local Government.

Senate Bill No. 247, introduced by Hazelbaker, Mathers, Murphy: A bill for an act entitled: "An act making teachers employed in schools operated by the State Board of Institutions eligible for the same leave benefits as other employees; amending Section 59-1007, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 271, introduced by Romney: A bill for an act entitled: "An act to amend Section 70-418, R.C.M. 1947, to remove the fifteen dollar limitation for television districts." Referred to Committee on Local Government.

Senate Bill No. 298, introduced by Drake, Dunkle, Mathers, Healy: A bill for an act entitled: "An act creating a classification of property for improvements on real property leased to governmental agencies and establishing the rate of taxation therefor; amending Sections 84-301 and 84-302, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 316, introduced by Lee, Flynn, Stephens, Healy, Mathers, Rosell, Blaylock, Seibel, Lynch: A bill for an act entitled: "An act to amend Sections 69-5201, and 69-5212, R.C.M. 1947, to meet federal requirements by redefining outpatient facilities, including a definition of construction and requiring approval from the Department of Health and Environmental Sciences for the construction of health care facilities." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 348, introduced by Lynch: A bill for an act entitled: "An act creating a twenty-year statute of limitations on actions by the state to collect debts or enforce liens." Referred to Committee on Judiciary.

Senate Bill No. 352, introduced by Galt, Aber, Jergeson: A bill for an act entitled: "An act amending Section 23-3515, R.C.M. 1947, to require the printing of ballot numbers on the front of the stub." Referred to Committee on State Administration.

Senate Bill No. 364, introduced by Fasbender (by request of Department of Administration): A bill for an act entitled: "An act to establish a centralized communications equipment maintenance program within the Department of Administration; providing for implementation of this act; and amending Section 82-3325, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 374, introduced by Colberg: A bill for an act entitled:

"An act directing the Department of Natural Resources to undertake a comprehensive study of the methods and effects of solution extraction of uranium, make recommendations and propose legislation to provide for the control of uranium solution extraction and the protection and rehabilitation of lands and waters affected by uranium solution extraction; and to provide an immediate effective date." Referred to Committee on Natural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner.

House Bill No. 107 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellerd., Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 83.

Noes: Casey, Conroy, Guthrie, Hager, Jacobsen, Lund, Smith, Wyrick. Total 8.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Fagg, Kelly, Lynch, Quilici, Shelden, Sloan. Total 6.

House Bill No. 121 passed by the following vote:

Ayes: J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Hageman, Hager, Halvorson, Helmbrecht, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sloan, Staigmilller, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 63.

Noes: Aageson, C. R. Anderson, Asher, Babcock, Casey, Conroy, Dassinger, Day, Ellerd, Finley, Fishbaugh, Gould, Gwynn, Harper, Herlevi, Hubing, Huennekens, Kropp, Kummerfeldt, Lund, Lynch, McFadden, James Moore, Robbins, Seifert, Sivertsen, Smith, South, Thomas, Underdal, Wyrick. Total 31.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Ellison, Shelden, Stoltz. Total 3.

House Bill No. 130 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson,

Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Marks, Meloy, Menahan, Mercer, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 84.

Noes: Casey, Ellerd, Guthrie, Jacobsen, Johnson, McFadden, Manuel, Murphy, Teague, Travis, Tropila, Wyrick. Total 12.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Shelden. Total 1.

House Bill No. 198 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellis, Fagg, Finley, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, Asher, Bardanouve, Barrett, Bengtson, Brand, Casey, Conroy, Day, Ellerd, Ellison, Fishbaugh, Gould, Guthrie, Helmbrecht, Holmes, Kvaalen, Lund, McFadden, Richards, Schye, Seifert, Sivertsen, Smith, Underdal, Wyrick. Total 26.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Fabrega, Federico, Shelden. Total 3.

House Bill No. 207 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 83.

Noes: Ellis, Guthrie, Hager, Hubing, Lien, Lory, Marks, Murphy, Schye, Smith, Underdal, Wyrick. Total 12.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Ellison, Shelden. Total 2.

House Bill No. 324 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Day, Driscoll,

Dussault, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kimble, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Williams, Mr. Speaker. Total 72.

Noes: R. Baeth, Bardanouve, Bradley, Dassinger, Ellis, Harper, Herlevi, Holmes, Huennekens, Johnson, Kemmis, Lester, Marks, Richards, Sloan, Travis, Tropila, Underdal, Vincent, Wolfe, Wyrick. Total 21.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Kropp, Scully, Shelden, Yardley. Total 4.

House Bill No. 325 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Day, Driscoll, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Smith, South, Staigmilller, Teague, Thomas, Travis, Tropila, Williams, Wolfe, Yardley, Mr. Speaker. Total 73.

Noes: R. Baeth, Bardanouve, Bradley, Dassinger, Dussault, Ellis, Harper, Herlevi, Holmes, Hubing, Johnson, Kemmis, Lester, Lockrem, Luebeck, Mercer, Richards, Sloan, Stoltz, Underdal, Vincent, Wyrick. Total 22.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Kummerfeldt, Shelden. Total 2.

House Bill No. 367 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Aageson, Hager, Mercer, Seifert, Sivertsen, Smith. Total 6.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Ellison, Shelden. Total 2.

House Bill No. 368 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy,

Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Babcock, Barrett, Hager, Kvaalen, Lory, Marks, Mercer. Total 7.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Teague. Total 1.

House Bill No. 449 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 94.

Noes: Smith, Wyrick. Total 2.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Scully. Total 1.

House Bill No. 454 passed by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 74.

Noes: Aageson, J. Anderson, Asher, Babcock, Barrett, Casey, Conroy, Ellerd, Ellison, Fabrega, Hager, Hubing, Johnston, Kropp, Lockrem, Lund, Marks, Mercer, Schye, Seifert, Sivertsen, Staigmilller, Wyrick. Total 23.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: None.

House Bill No. 463 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Marks. Total 1.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Meloy. Total 1.

House Bill No. 464 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Schye. Total 1.

House Bill No. 470 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 85.

Noes: Barrett, Ellison, Gunderson, Guthrie, Hubing, Jacobsen, Kropp, Lien, Underdal, Wyrick. Total 10.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Scully, Tropila. Total 2.

House Bill No. 473 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Kelly. Total 1.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Schye. Total 1.

House Bill No. 497 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Ellis, Underdal. Total 2.

House Bill No. 498 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Gunderson, Marks. Total 2.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Kelly. Total 1.

House Bill No. 545 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: None.

House Bill No. 570 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Jacobsen, Kvaalen, Mercer, Smith. Total 4.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Gould. Total 1.

House Joint Resolution No. 43 passed by the following vote:

Ayes: Aageson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 76.

Noes: C. R. Anderson, Babcock, Barrett, Day, Ellis, Finley, Guthrie, Halvorson, Kvaalen, Lockrem, Lory, Marks, Robbins, Schye, Seifert, Smith, Staigmiller, Underdal, Wyrick. Total 19.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Ellison, Fagg. Total 2.

House Joint Resolution No. 61 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 86.

Noes: Bardanouve, Dussault, Ellis, Guthrie, Holmes, Jacobsen, Kummerfeldt, Richards, Smith, Wyrick. Total 10.

Excused: Kendall, Jack Moore, Wood. Total 3.

Absent or not voting: Seifert. Total 1.

REPORTS OF STANDING COMMITTEES

Objection raised by Federico on the adverse committee report on House Bill No. 476. Referred to Second Reading.

February 20, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 be amended in the introduced bill as follows:

1. Amend the title, page 1, lines 5 and 6.

Following: "practices of"

Strike: "odoriferous establishments such as feed lots and egg farms"

Insert: "animal confinement facilities"

2. Amend page 1, section 1, line 12.

Strike: "includes a feed lot, egg farm or rendering plant"

Insert: "means a lot or facility used or capable of being used for feeding or holding of livestock or poultry, but does not mean land used for growing vegetation for feeding such animals"

3. Amend page 1, section 2, line 17.

Following: "within"

Strike: "two and one-half (2 ½) miles"

Insert: "one (1) mile"

4. Amend page 1, section 2, line 20.

Following: "than"

Strike: "four (4)"

Insert: "eight (8)"

5. Amend page 2, section 3, lines 1 and 2.

Following: "within"

Strike: "two and one-half (2 ½) miles"

Insert: "one-half (½) mile"

6. Amend page 2, section 3, line 4.

Following: "the operator"

Strike: ":",

Insert: "fails to comply with waste management rules adopted by the department of health and environmental sciences."

7. Amend page 2, section 3, lines 5 through 11.

Strike: subsections (1), (2), and (3) in their entirety.

8. Amend page 2, following line 11.

Insert: a new section 4 to read as follows and renumber the subsequent section:

"Section 4. There is a new R.C.M. section numbered 57-119 that reads as follows:

57-119. The department of health and environmental sciences, after consultation with the department of livestock, shall promulgate rules for the management of wastes, odors, and flies emanating from animal confinement facilities. Such regulations shall consider facility size, facility distance from residences and communities, and prevailing wind directions. The department may order a person to cease violating such rules. Rules shall be made and orders issued under this section in accordance with the Administrative Procedure Act."

9. Amend page 2, present section 4, line 12.

Following: "Section 4."

Insert: "There is a new R.C.M. section numbered 57-120 that reads as follows:

57-120. Action for abatement or damages."

10. Amend page 2, present section 4, line 12.

Following: "Any"

Strike: "public"

11. Amend page 2, present section 4, line 12.

Following: "nuisance"

Insert: "conditions established"

12. Amend page 2, present section 4, line 13.

Following: "title"

Insert: ", or the court hearing such suit, in consideration of the relative equities, may, as an alternative to abatement, award the plaintiff damages equal to the diminution of value of his property, caused by the nuisance"

And as amended, do not pass.

MENAHAN, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 627, respectfully report as follows: That House Bill No. 627 do pass.

FLEMING, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 678, respectfully

report as follows: That House Bill No. 678 be amended in the introduced bill as follows:

1. Amend page 3, section 1, subsection (4), line 12.

Following: "agriculture"

Insert: "and so designated by the department"

2. Amend page 7, section 3, line 3.

Following: "registered"

Insert: "by the manufacturer"

3. Amend page 7, section 3, line 19.

Following: "material"

Insert: "when requested by the department"

4. Amend page 8, section 3, line 25.

Following: "fertilizer"

Strike: "blended to a specific customer order"

Insert: "registered by the manufacturer, or blended to grade from registered products by the licensee"

5. Amend page 9, section 4, line 9.

Following: "state in"

Strike: "containers"

Insert: "packages"

6. Amend page 10, section 4, lines 3 through 7.

Strike: subsections (c), (d), and (e) in their entirety.

Insert: "(c) guaranteed analysis, or, on blended fertilizer, the net weight and guaranteed analysis of each ingredient added; and"

7. Amend page 10, section 4, line 8.

Strike: "(f)"

Insert: "(d)"

8. Amend page 12, section 5, line 4.

Following: "registrant"

Insert: "and licensee"

9. Amend page 12, section 5, line 7.

Following: "manures,"

Insert: "to an unlicensed or unregistered person,"

10. Amend page 12, section 5, line 8.

Following: "furnished"

Insert: "or approved"

11. Amend page 15, section 8, line 17.

Following: "Licensee"

Strike: "tonnage"

12. Amend page 15, section 8, line 18 through page 16, line 5.

Following: "file."

Strike: subsection (1) in its entirety.

Renumber: following subsections.

13. Amend page 20, section 13, line 11.

Following: "the lot"

Insert: ", not to exceed one hundred (100) tons,"

And as amended, do pass.

FLEMING, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 539, respectfully report as follows: That House Bill No. 539 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 11.

Following: "1947"

Insert: "; and providing an immediate effective date"

2. Amend page 1, section 1, subsection (1), lines 15 and 16.

Following: "the"

Strike: "row cultivation of food crops"

Insert: "production of food and forage"

3. Amend page 3, section 4, subsection (1), line 21.

Following: "county."

Insert: "prior to implementation of any state or county cropland spraying program, the department and the board of county commissioners of any county for which the program is proposed, shall enter into a written agreement on the maximum amount of monies each shall appropriate or provide toward the proposed program. If either party does not sign and approve the agreement, the program may not be conducted. In addition, prior to either the department or the county initiating the control program, all the cropland producers in the proposed control area, which may be modified, shall have given their approval of participation. However, when insect infestation results in an emergency situation, seventy percent (70%) of the cropland producers involved in the proposed spraying program are sufficient to initiate the program. The department shall establish standards for declaration of an emergency situation."

4. Amend page 3, section 4, line 22 through page 4, line 11.

Strike: subsections (2) and (3) in their entirety.

Insert: "(2) If the department conducts the program, the department shall pay all costs of the program. The county shall pay its share and the landowners' share, as provided in section [5 of this act], to the department for deposit in the appropriate fund.

(3) If the county conducts the program, the county shall pay all costs of the program, including its share. The department shall pay one-third ($\frac{1}{3}$) of the costs of the cropland spraying program from monies appropriated for that purpose to the county in which the program was conducted. The county treasurer shall collect the landowners' assessments as provided in section [5 of this act]."

5. Amend page 7, section 11, following line 18.

Insert: a new section 12 to read as follows:

"Section 12. Effective date. This act is effective on its passage and approval."

And as amended, do pass.

FLEMING, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 492, respectfully report as follows: That House Bill No. 492 be amended in the introduced copy as follows:

1. Amend page 3, section 1, following line 9.

Insert: a new subsection (4) to read as follows:

"(4) This act shall apply to all applications, pending or hereinafter filed, for which the department has not, as of the effective date of this act, commenced writing an environmental impact statement."

Renumber: subsequent subsection.

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 20, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 be amended in the introduced bill as follows:

1. Amend page 1, section 3, line 25.

Following: "(640)"

Strike: "acres"

2. Amend on page 2, section 3, line 1.

Following: "contiguous"

Strike: "lands"

Insert: "acres"

3. Amend page 2, section 3, lines 2 and 3.

Following: "shall"

Strike: "be made available for this use."

Insert: ", as the opportunity develops, be made available for recreational use under the multiple use concept. The department of fish and game shall develop an inventory of such lands which shall be kept current in the department of lands. As each land unit on such register comes up for lease renegotiation, the department of lands shall take the following actions:

(1) Where a public road exists along or through the land unit, or where adjoining public lands to which there is a public access in turn provide access to the land unit being renegotiated, the new lease shall contain a statement that the land unit will be available for public recreational use under rules established by the department of lands.

(2) Where no direct access to the land unit exists and there are equal competitive bids on the land, the conditions of the bidding shall prescribe that whichever bidder agrees to provide a means of access to allow public recreational use of the land shall be given priority consideration in the awarding of the lease.

(3) Where there is no direct access to the land unit and there is no competitive bid, and the bidder refuses to provide a means of access to allow public recreational use of the land, a penalty of one dollar (\$1.00) per A.U.M. shall be imposed to reimburse the state for the recreational value its citizens have been deprived of.

Section 4. Provision of access. Access to all state lands open for recreational use by the public under the provisions of section 3 shall be in accordance with the following:

(1) Where the unit of state land contacts a public road or other public lands, state or federal, to which there is public access, and the boundary is fenced, gates shall be provided where needed to the state land.

(2) Leases or permits for state land extended under section 3 (2) shall include a provision under which the lessee or permittee grants an easement for the duration of the lease or permit across his private or deeded land for public access to the state land. The easement, called a state access trail, may be an existing road or trail. It may be a fifteen (15) foot wide strip of land along or as near to a section line as possible and in this case vehicular use is not implicit in the easement but shall be a matter of terrain suitability. The state access trail may be posted at the discretion of the landowner to indicate that it is a special state access trail only, and that no trespassing, hunting or shooting is allowed on or across the private land on either side of the right-of-way. The owner of the land shall have the right of designating the location of this trail.

(3) In the cases described in section 3(3) and in cases where state lands consisting of six hundred forty (640) acres or more are surrounded by private land not owned directly or indirectly by the holder of any state lease or permit, the state may condemn through the right of eminent domain, an access trail fifteen (15) feet wide across the private land by the shortest and most direct route from the nearest public road or state or federal land to which there is public access. This special state access trail may be posted as in subsection (2) of this section.

(4) A person violating the posting provisions of this act by trespassing, hunting or shooting on or across a state access trail without permission of the landowner is guilty of a misdemeanor and upon conviction shall be fined not to exceed three hundred dollars (\$300) or imprisoned in the county jail for a period not to exceed thirty (30) days, or both.

(5) The department of state lands shall provide owners of private lands bordering state access trails referred to in this act with signs indicating the official posting at the private landowner's request."

Renumber: subsequent sections.

4. Amend page 2, present section 5, line 8.

Following: "on the"

Insert: "state"

5. Amend page 2, present section 5, lines 9 and 10.

Strike: these lines in their entirety.

Insert: "is restricted to passage across those lands necessary to reach other public lands and then only on existing roads and trails."

6. Amend page 2, present section 5, following line 12.

Insert: "When soil and ground conditions have been rendered by rain or snow liable to serious damage through rutting and subsequent erosion the lease or permit holder may apply to the department of lands for a temporary closure to vehicles of up to three (3) days which may be renewed if conditions require."

7. Amend page 2, present section 7, lines 18 through 25; and on page 3, lines 1 through 25; and on page 4, lines 1 through 9.

Following: "Section 7."

Strike: all of the material in this section in its entirety.

Insert: "If the lease or permit holder so desires and posts in a prominently visible location the exact location of his residence, he may require that users of state recreational land or state recreational trails notify him that they will be upon and using such land and trails."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 177.

QUILICI, Chairman

February 21, 1975

I have examined House Joint Resolution No. 21 introduced by me and find the same to be correct.

WILLIAMS

February 21, 1975

I have examined House Bill No. 22 introduced by me and find the same to be correct.

W. BAETH

February 21, 1975

I have examined House Bill No. 37 introduced by me and find the same to be correct.

ROBBINS

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly enrolled: House Joint Resolution No. 21.

QUILICI, Chairman

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 21, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 120 be amended as follows:

1. Amend the title, page 1, line 6.

Following: "(10%)"

Strike: "to twelve and one-half percent (12 ½%)"

Insert: "to a graduated series of ceilings"

2. Amend the title, page 1, line 8:

Following: "loans"

Strike: "less than fifty thousand dollars (\$50,000)" (75-8)

And be further amended:

3. Amend page 1, section 1, lines 14 through 16.

Following: "[per cent]"

Strike: "not exceeding twelve and one-half percent (12 ½%) on loans less than fifty thousand dollars (\$50,000)"

4. Amend page 1, section 1, line 17.

Following: "agreement"

Insert: "— limitations as to certain loans"

5. Amend page 1, section 1, line 21.

Following: "(\$50,000)"

Insert: ", fifteen percent (15%) on loans in excess of fifty thousand dollars (\$50,000) and not exceeding one million dollars (\$1,000,000), and as the parties may designate on loans in excess of one million dollars (\$1,000,000)" (75-6)

And as amended, do pass. (69-20)

That House Bill No. 239 do not pass. (53-32)

That House Bill No. 277 do not pass. (63-27)

That House Bill No. 302 do pass. (90-0)

That House Bill No. 319 be amended as follows:

1. Amend page 4, section 3, subsection (4), line 5.

Following: "resubdivision"

Insert: "but shall not include grants or conveyances of sites, easements or rights-of-way for sewer, water, telephone, telegraph, electric or other similar utility facilities" (75-0)

And as amended, do pass. (49-48)

Jack Moore present at this time.

That House Bill No. 351 do pass. (56-39)

That House Bill No. 414 be amended as follows:

1. Amend page 1, section 1, line 18.

Following: "any"

Strike: "female"

Insert: "person" (56-3)

And be further amended:

2. Amend page 2, section 2, subsection (1), line 11.

Strike: "woman"

Insert: "person" (54-5)

And be further amended:

3. Amend page 3, section 4, subsection (b), line 25.

Following: "related to"

Strike: "abortion"

Insert: "or encountered during pregnancy" (50-0)

And as amended, do pass. (60-7)

That House Bill No. 437 be amended as follows:

1. Amend page 4, section 2, line 7.

Strike: "relating"

Insert: "reducing" (61-3)

And as amended, do not pass. (55-32)

That House Bill No. 493 do pass. (88-0)

That the Committee rise and report and beg leave to sit again.

KVAALLEN, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

Objection raised by Brand on the adverse committee report on House Bill No. 129. Referred to Second Reading.

February 21, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 507, respectfully report as follows: That House Bill No. 507 do pass.

GERKE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 267, respectfully report as follows: That House Bill No. 267 do pass.

HAGEMAN, Vice-Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 57, respectfully report as follows: That House Joint Resolution No. 57 do pass.

HAGEMAN, Vice-Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 116, respectfully report as follows: That Senate Bill No. 116, third reading, be amended as follows:

1. Amend page 6, section 1, subsection (4)(c), lines 10 and 11.

Following: "in the"

Strike: "[state] county, city, or town as set forth in Section 16-2618(1)"

Insert: "state"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

GERKE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 436, respectfully report as follows: That House Bill No. 436 be amended in the introduced bill as follows:

1. Amend page 2, section 3, subsection (1), line 4.

Following: "petitioner"

Insert: "and shall include a map showing the limits of the proposed district"

2. Amend page 2, section 3, subsection (1), line 9.

Strike: "The"

Insert: "the"

3. Amend page 2, section 3, subsection (1), line 10.

Following: "district"

Strike: ". Which"

Insert: ", and which"

4. Amend page 2, section 3, subsection (1), lines 12 through 15.

Following: "petition."

Strike: "Whether such qualified signers constitute more or less than twenty percent (20%) of the registered electors of the proposed transportation district."

Insert: "If the petition is found to contain less than twenty percent (20%) of the signatures of the qualified electors of the transportation district, the petition shall be declared void."

5. Amend page 2, section 3, subsection (2), line 16.

Strike: "The"

Insert: "Provided the petition contains the signatures of twenty percent (20%) of the qualified electors of the proposed transportation district, the"

6. Amend page 2, section 3, subsection (3), lines 20 through 22.

Following: "and"

Strike: "; if they find that the petition is in proper form and bears the requisite number of signatures of the qualified petitioners, the commissioners"

7. Amend page 2, section 3, subsection (3), line 24.

Following: "district."

Strike: "If the petition is found to be lacking in the number of signatures required, the commission shall postpone or continue any hearing upon the petition until such time as the required number of petitioners have signed the petition. The commission may call for a public hearing on any proposed transportation district regardless of whether a petition for the creation of a transportation district has been presented to the commissioners."

8. Amend page 3, section 4, subsection (1), lines 14 and 15.

Following: "objectors,"

Strike: "without additional published or posted notice,"

9. Amend page 4, section 5, subsection (1), lines 6 through 8.

Following: "resolution"

Strike: "either to reject the creation of such a district, to exercise their power to create such a district, or"

10. Amend page 4, section 5, subsection (1), lines 10 through 15.

Following: "proposition"

Strike: "; however, if a proper petition for the creation of a district has been presented to the commissioners and a public hearing held on it, the commissioners shall proceed either to create such a district or to refer the creation of a district to the persons qualified to vote on such a proposition"

11. Amend page 7, section 8, lines 3 through 5.

Following: "shall"

Strike: "not in any year exceed twelve (12) mills on each dollar of taxable valuation of property within said district"

Insert: "be sufficient to fund the proposed budget of the district for the fiscal year"

12. Amend page 7, section 10, line 19.

Following: "of"

Strike: "bonds"

Insert: "general obligation or revenue bonds, or a combination thereof,"

13. Amend page 8, section 11, lines 2 and 3.

Following: "enlarged"

Strike: "by any of the methods provided for the establishment of the district"

Insert: "if fifty-one percent (51%) of the qualified electors of the area to be added to the existing district sign a petition requesting addition to such district"

14. Amend page 8, section 11, line 4.

Following: "board."

Insert: "All property within any addition to the transportation district shall be subject to all existing indebtedness of the district."

15. Amend page 8, section 12, subsection (1), lines 17 through 19.

Following: "shall"

Strike: "postpone any hearing on the petition until such time as the required number of petitioners have signed the petition"

Insert: "declare the petition void"

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 409, respectfully report as follows: That House Bill No. 409 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Strike: "processing facilities"

Insert: "enterprises"

2. Amend page 1, section 1, line 19.

Following: "manufacturing"

Insert: ", agricultural,"

3. Amend page 1, section 1, lines 19 and 20.

Following: "enterprises,"

Strike: "processing agricultural products,"

4. Amend page 2, section 1, lines 2 through 5.

Strike: subsection (5) in its entirety.

Insert: "(5) 'Agricultural enterprise' means any agricultural enterprise including, but not limited to, producing, warehousing, storing, fattening, treating, handling, distributing or selling farm products or livestock."

5. Amend page 2, section 1, following line 5.

Insert: a new subsection as follows:

"(6) 'Improvements', 'improve', and 'improving' mean those things which embrace any real property, personal property or mixed property of any or any kind that can be used or that will be useful to agriculture."

And as amended, do pass.

GERKE, Chairman

Report adopted.

February 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 395, respectfully report as follows: That House Bill No. 395 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following: "15-2006,"

Insert: "40-3329,"

2. Amend title, page 1, line 5.

Following: "41-1429,"

Strike: "40-3329,"

3. Amend title, page 1, line 8.

Following: "66-3209,"

Insert: "and"

4. Amend title, page 1, line 8.

Following: "75-6010,"

Strike: "and 93-2027,"

5. Amend title, page 1, line 10.

Following: "and"

Strike: "is"

6. Amend title, page 1, lines 10, 11 and 12.

Following: "supervision"

Strike: "is restored the right to practice any occupation requiring state licensing; and to provide that a person applying for such a license"

7. Amend page 2, section 1, subsection (2), lines 16 through 19.

Following: "(2)"

Strike: subsection (2) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

8. Amend page 9, section 2, subsection (11), lines 9 through 13.

Following: "(11)"

Strike: subsection (11) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

9. Amend page 9, section 3, subsection (b), line 25 through page 10, line 1.

Following: "felony"

Strike: "within the past five (5) years"

10. Amend page 10, section 3, subsection (2), lines 10 through 14.

Following: "(2)"

Strike: subsection (2) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

11. Amend page 12, section 4, subsection (3), lines 1 through 5.

Following: "(3)"

Strike: subsection (3) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

12. Amend page 13, section 5, subsection (4), lines 2 through 6.

Following: "(4)"

Strike: subsection (4) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

13. Amend page 13, section 6, subsection (1)(b), lines 15 and 16.

Following: "justice"

Strike: "and is still under state supervision"

14. Amend page 14, section 6, subsection (4), lines 13 through 17.

Following: "(4)"

Strike: subsection (4) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

15. Amend page 15, section 7, subsection (8), lines 17 through 21.

Strike: lines 17 through 21 in their entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

16. Amend page 17, section 8, subsection (3), lines 3 through 7.

Following: "(3)"

Strike: subsection (3) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

17. Amend page 19, section 9, subsection (3), lines 4 through 8.

Following: "(3)"

Strike: subsection (3) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

18. Amend page 21, section 10, subsection (2), lines 17 through 19.

Following: "(2)"

Strike: subsection (2) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

19. Amend page 25, section 11, subsection (7), lines 13 through 17.

Following: "(7)"

Strike: subsection (7) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

20. Amend page 25, section 12, subsection (1), line 25.

Following: "nursing"

Insert: ";

21. Amend page 26, section 12, subsection (1), lines 1 through 5.

Strike: lines 1 through 5 in their entirety.

22. Amend page 26, section 12, subsection (7), following line 14.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

23. Amend page 26, section 13, line 18.

Strike: "(1)"

24. Amend page 26, section 13, lines 19 through 21.

Following: "crime,"

Strike: "but the right to the certificate is restored by termination of state supervision of the offender. The board may also revoke any certificate for"

25. Amend page 27, section 13, line 15.

Following: "optometrist."

Insert: "Provided, however, a person no longer under state supervision for a previous conviction who applies for a certificate may not be denied a certificate because of a previous conviction."

26. Amend page 29, section 14, subsection (4), lines 15 through 19.

Following: "(4)"

Strike: subsection (4) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

27. Amend page 31, section 15, subsection (2), lines 14 through 19.

Following: "(2)"

Strike: subsection (2) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a certificate, registration, or license may not be denied a certificate, registration, or license because of a previous conviction."

28. Amend page 34, section 16, subsection (20), lines 19 through 24.

Following: "Conviction of a felony."

Strike: "The right to a license revoked or suspended because of a criminal conviction is restored by termination of state supervision of the offender and any person applying for a license shall not be denied a license because of a previous criminal conviction."

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

29. Amend page 35, section 17, subsection (3), lines 24 and 25 through page 36, lines 1 through 4.

Following: "(3)"

Strike: subsection (3) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a certificate may not be denied a certificate because of a previous conviction."

30. Amend page 37, section 18, subsection (3), lines 22 through 25 and page 38, lines 1 through 3.

Following: "(3)"

Strike: subsection (3) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license or certificate may not be denied a license or certificate because of a previous conviction."

31. Amend page 39, section 19, lines 14 through 18.

Strike: lines 14 through 18 in their entirety.

Insert: "(6) A person no longer under state supervision for a previous conviction who applies for a certificate may not be denied a certificate because of a previous conviction."

32. Amend page 40, section 20, subsection (2), lines 21 through 25.

Following: "(2)"

Strike: subsection (2) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

33. Amend page 41, section 21, subsection (3), lines 22 through 25 and page 42, line 1.

Following: "(3)"

Strike: subsection (3) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

34. Amend page 43, section 22, subsection (2), lines 4 through 8.

Following: "(2)"

Strike: subsection (2) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

35. Amend page 43, section 23, lines 21 through 25.

Strike: lines 21 through 25 in their entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

36. Amend page 46, section 24, subsection (3), lines 23 through 25 and page 47, lines 1 and 2.

Following: "(3)"

Strike: subsection (3) in its entirety.

Insert: "A person no longer under state supervision for a previous conviction who applies for a license may not be denied a license because of a previous conviction."

37. Amend page 48, section 25, lines 23 through 25 and page 49, lines 1 and 2.

Strike: "The right to a teacher certificate revoked or suspended because of a criminal conviction is restored by termination of state supervision of the offender and any person applying for a teacher certificate shall not be denied a license because of a previous criminal conviction."

Insert: "A person no longer under state supervision for a previous conviction who applies for a teacher certificate may not be denied a teacher certificate because of a previous conviction."

38. Amend page 49, section 26, lines 3 through 16.

Strike: section 26 in its entirety.

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 be amended in the introduced bill as follows:

1. Amend page 2, section 1 (8), line 7.

Following: "the"

Strike: "[average]"

Insert: "average"

2. Amend page 2, section 1 (8), line 10.

Following: "any"

Strike: "[three (3) years] year"

Insert: "two (2) years"

3. Amend page 2, section 1 (8), line 12.

Following: "served"

Strike: "[three (3) years] one full year"

Insert: "two (2) years"

4. Amend page 2, section 1 (8), line 14.

Following: "of"

Strike: "[years] months"

Insert: "years"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HAGEMAN, Vice-Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 be amended in the introduced bill as follows:

1. Amend page 3, section 1 (6), line 5.

Following: "July 1,"

Strike: "1974"

Insert: "1975"

2. Amend page 3, section 1 (6), line 5.

Following: "total"

Strike: "two"

Insert: "three"

3. Amend page 3, section 1 (6), line 6.

Following: "dollars"

Strike: "(\$200)"

Insert: "(\$300)"

4. Amend page 3, section 1 (7), lines 7 through 13.

Strike: all material in line 7 through and including everything in line 13.

And as amended, do pass.

HAGEMAN, Vice-Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 do not pass.

HAGEMAN, Vice-Chairman

February 21, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 60, respectfully report as follows: That House Joint Resolution No. 60 do not pass.

HAGEMAN, Vice-Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Joint Resolution No. 39, respectfully report as follows: That House Joint Resolution No. 39 do not pass.

KIMBLE, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362 do pass.

KIMBLE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 444, respectfully report as follows: That House Bill No. 444 do pass.

KIMBLE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 do pass.

KIMBLE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do pass.

KIMBLE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations,

having had under consideration House Bill No. 632, respectfully report as follows: That House Bill No. 632 do pass.

KIMBLE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 do pass.

KIMBLE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), line 20.

Following: "and all"

Insert: "state"

2. Amend page 2, section 1, subsection (2), line 24.

Following: "Act."

Insert: "Nothing in this act applies to labor violations preempt by federal law or regulation."

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 612, respectfully report as follows: That House Bill No. 612 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (c), line 13.

Following: "organization"

Insert: ", except as provided in section 59-1603(5)"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 6.

Following: "of total"

Insert: "taxable"

2. Amend the title, page 1, line 7.

Following: "of total"

Insert: "taxable"

3. Amend page 5, section 1, subsection (c), line 21.

Following: "[thereafter,]"

Strike: "beginning April 1, 1975"

4. Amend page 7, section 1, subsection (c) (3), lines 8 through 14.

Strike: this subsection (c) (3) in its entirety.

5. Amend page 8, section 1, subsection (c) (5), lines 13 through 25.

Following: "(5)"

Strike: the remainder of this subsection on this page.

6. Amend page 9, section 1, subsection (c) (5), lines 1 through 4.

Strike: "twenty-six million dollars (\$26,000,000) at which time all employer rates shall again be so fixed to bring an average return of [one and five-tenths per centum (1.5%)] two percent (2%) as in this section hereinabove provided; if"

Insert: "If"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

KIMBLE, Chairman

Report adopted.

February 21, 1975

The following bill will be signed on adjournment on February 21, 1975, in the office of the Speaker of the House of Representatives: Senate Bill No. 149.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

February 21, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 22 and 40.

Sincerely,

BILL CHRISTIANSEN
Acting Governor

February 21, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 31, 99, 142, 147, and 232.

Sincerely,

BILL CHRISTIANSEN
Acting Governor

MESSAGES FROM THE OTHER HOUSE

February 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, titles and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 32, introduced by O'Connell, Menahan, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 253, introduced by Johnson

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Menahan moved that House Bill No. 691 be rereferred from the Committee on State Administration to the Committee on Public Health, Welfare and Safety.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 467 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Driscoll, Dussault, Ellis, Ellison, Fabrega, Finley, Gilligan, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemma, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lund, Magone, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Tropila, Underdal, Wolfe, Wyrick, Mr. Speaker. Total 65.

Noes: Bertelsen, Lockrem. Total 2.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Brand, Dassinger, Day, Ellerd, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Helmbrecht, Holmes, Huennekens, Luebeck, Lynch, McFadden, Manuel, Marks, Meloy, James Moore, Mular, Schye, Scully, Seifert, Shelden, Thomas, Travis, Vincent, Williams, Yardley. Total 31.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 456 was adopted by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Casey, Dussault, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Magone, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Seifert, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Tropila, Underdal, Wolfe, Wyrick, Mr. Speaker. Total 71.

Noes: None.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Bengtson, Brand, Conroy, Dassinger, Day, Driscoll, Ellerd, Fagg, Federico, Fleming, Helmbrecht, Holmes, Kelly, Lynch, McFadden, Manuel, Marks, Mular, Quilici, Rasmussen, Scully, Shelden, Staigmiller, Travis, Vincent, Williams, Yardley. Total 27.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 174 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Dussault, Ellerd, Ellis, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lynch, Magone, Meloy, Menahan, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Sloan, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Wolfe, Mr. Speaker. Total 63.

Noes: Ageson, Barrett, Casey, Driscoll, Ellison, Gould, Guthrie, Hager, Kropp, Lockrem, Lund, Mercer, Jack Moore, Sivertsen, Smith, South, Teague, Wyrick. Total 18.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Brand, Dassinger, Day, Fagg, Federico, Helmbrecht, Holmes, Luebeck, McFadden, Manuel, Marks, Mular, Scully, Shelden, Vincent, Williams, Yardley. Total 17.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 21, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 495 be amended as follows:

1. Amend page 1, section 1, lines 19 through 21.

Strike: subsection (5) in its entirety.

2. Amend page 2, section 1, subsection (6), line 8.

Following: "than"

Strike: "a"

3. Amend page 3, section 4, line 25.

Following: "committee"

Strike: "of opticians"

4. Amend page 4, section 4, lines 1 through 4.

Following: "consist of"

Strike: "three (3) certified dispensing opticians, each with at least five (5) years experience in optical dispensing in this state immediately preceding his appointment"

Insert: "one (1) licensed ophthalmologist, one (1) licensed optometrist, and one (1) certified dispensing optician"

5. Amend page 5, following line 2.

Insert: a new section 7 and renumber subsequent sections.

"Section 7. Authority to adopt and enforce rules. In addition to the requirements hereinabove contained, the board may adopt and enforce rules:

(1) fixing higher minimum educational requirements, including a statement of approved schools and courses, required curriculum, and duration of the educational period;

(2) requiring certification upon completion of the educational requirements; and

(3) any other rules the board deems necessary to carry out the provisions of this act." (78-0)

And as amended, do not pass. (64-24)

That House Bill No. 499 do pass. (80-8)

That House Bill No. 521 do not pass. (81-6)

That House Bill No. 523 do pass. (84-3)

That House Bill No. 569 be amended as follows:

1. Amend page 5, section 1, subsection (21), line 7.

Following: "affected by"

Strike: "surface"

Insert: "strip"

2. Amend page 5, section 1, subsection (22), line 15.

Strike: "current" (82-1)

And as amended, do pass. (93-1)

That House Bill No. 571 do pass. (89-0)

That House Bill No. 583 be amended as follows:

1. Amend page 2, section 1, line 8.

Following: "(4)"

Strike: "[consecutive]"

Insert: "consecutive" (78-3)

And as amended, be passed for the day.

(Material in brackets denotes cancelled type.)

That House Bill No. 590 do pass. (68-22)

That House Bill No. 600 do pass. (70-17)

That House Bill No. 605 be passed until the 42nd Legislative Day.

That House Bill No. 656 be amended as follows:

1. Amend page 2, section 1, subsection (1), lines 1 through 4.

Following: "to"

Strike: the remainder of subsection (1) in its entirety.

Insert: "meet and confer with the board of regents prior to negotiations with the professional educational employees, to participate in those negotiations as part of the public employer's bargaining team, and to meet and confer with the board of regents prior to the reaching of an agreement between the regents and the professional educational employees." (63-10)

And be further amended:

2. Amend page 6, section 2, subsection (3), line 15.

Following: "government"

Strike: "may designate"

Insert: "agent or representative of the student government's right to participate does not pertain to" (68-6)

And as amended, do pass. (62-32)

That the Committee rise and report.

KVAALEN, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 21, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on February 21, 1975: House Bills Nos. 22, 37, House Joint Resolution No. 21, Senate Bill No. 149.

Edwin A. Smith, Chief Clerk
House of Representatives

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly printed: House Bills Nos. 348, 179, 434, 648, House Joint Resolutions Nos. 58, 443, 364.

QUILICI, Chairman

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bill and reso-

lution correctly engrossed: House Bill No. 427, House Joint Resolution No. 47.

QUILICI, Chairman

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 154.

QUILICI, Chairman

February 21, 1975

The following bills will be signed on adjournment on February 21, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 85, 132, 171.

Edwin A. Smith, Chief Clerk
House of Representatives

February 21, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 537, respectfully report as follows: That House Bill No. 537 be amended in the introduced bill as follows:

1. Amend the title, lines 4 and 5.

Following: "act to"

Strike: "amend section 8-812, R.C.M. 1947, to"

2. Amend the title, line 7.

Following: "contract"

Insert: "except as herein provided"

3. Amend the title, lines 7 through 9.

Following: "imposition of"

Strike: "punitive damages where the aggrieved shipper successfully prosecutes his claim in court"

Insert: "attorney fees to the successful party where an aggrieved consignee predicates his claim in part upon unjustified delay in investigation of the same"

4. Amend the title, line 9.

Following: "packages"

Strike: "; and"

Insert: "under certain conditions;"

5. Amend the title, line 11.

Following: "property"

Strike: "carried"

Insert: "covered"

6. Amend the title, line 11.

Following: "them"

Insert: "; to allow recourse to delivering carriers who pay consignees' claims; and to adopt appropriate provisions of the interstate commerce act relating to those subjects; repealing section 8-812, R.C.M. 1947"

7. Amend the bill, pages 1 through 3.

Following: the enacting clause

Strike: the remainder of the bill.

Insert: "Section 1. There is a new R.C.M. section, numbered 8-812.1, that reads as follows:

8-812.1. Liability of inland carriers for loss. Any common carrier, rail-

road, or transportation company subject to the provisions of this act receiving property for transportation from a point in Montana to any other point in Montana, shall issue a receipt or bill of lading therefor, and shall be liable to the lawful holder thereof for any loss, damage, or injury to such property caused by it or by any common carrier, railroad or transportation company to which such property may be delivered or over whose line or lines such property may pass within the state of Montana when transported on a through bill of lading, and no contract, receipt, rule, regulation or other limitation of any character whatsoever shall exempt such common carrier, railroad, or transportation company from the liability hereby imposed; and any such common carrier, railroad, or transportation company so receiving property for transportation from a point in Montana to a point in Montana, or any common carrier, railroad, or transportation company delivering said property so received and transported shall be liable to the lawful holder of said receipt or bill of lading or to any party entitled to recover thereon, whether such receipt or bill of lading has been issued or not, for the full actual loss, damage, or injury to such property caused by it or by any common carrier, railroad, or transportation company to which such property may be delivered or over whose line or lines such property may pass within the state of Montana when transported on a through bill of lading, notwithstanding any limitation of liability or limitation of the amount of recovery or representation or agreement as to value in any such receipt or bill of lading, or in any contract, rule, regulation, or in any tariff filed with the public service commission; and any such limitation, without respect to the manner or form in which it is sought to be made is hereby declared to be unlawful and void, except:

- (1) An inherent defect, vice, weakness, or a spontaneous action of the property itself;
- (2) The act of a public enemy of the United States, or of this state;
- (3) The act of the law;
- (4) An irresistible superhuman cause; or
- (5) The act or default of the shipper or owner or for natural shrinkage.

Provided that the provisions hereof respecting liability for full actual loss, damage or injury, notwithstanding any limitation of liability or recovery or representation or agreement or release as to value, and declaring any such limitation to be unlawful and void, shall not apply, first, to baggage carried on passenger trains or buses; second, to property, except ordinary livestock, received for transportation concerning which the carrier shall have been or shall hereafter be expressly authorized or required by order of the public service commission to establish and maintain rates dependent upon the value declared in writing by the shipper or agreed upon in writing as the released value of the property, in which case such declaration or agreement shall have no other effect than to limit liability and recovery to an amount not exceeding the value so declared or released, and shall not, so far as related to values, be held to be a violation of this act; and any tariff schedule which may be filed with the commission pursuant to such order shall contain specific reference thereto and may establish rates varying with the value so declared and agreed upon; and the commission is hereby empowered to make such order in cases where rates dependent upon and varying with declared or agreed values would, in its opinion, be just and reasonable under the circumstances and conditions surrounding the transportation. The term 'ordinary livestock' shall include all cattle, swine, sheep, goats, horses, and mules, except such as are chiefly valuable for breeding, racing, show purposes, or other special uses.

Provided further, that nothing in this section shall deprive any holder of such receipt or bill of lading of any remedy or right of action.

Provided further, that it shall be unlawful for any such receiving or delivering common carrier to provide by rule, contract, regulation, or otherwise, a shorter period for the filing of claims than nine months, and for the institution of suits than two years, such period for institution of suits to be computed from the date when notice in writing is given by the carrier to the claimant that the carrier has disallowed the claim or any part or parts thereof specified in the notice.

Provided further, that for the purpose of this section and section 8-812.2, the delivering carrier shall be construed to be the carrier performing the line-haul service nearest to the point of destination.

Provided further, that the liability imposed by this section shall also apply in the case of property reconsigned or diverted in accordance with the applicable tariffs filed as in this part provided.

Provided further, that the consignee within fifteen (15) days after delivery must ask for an inspection of any damaged shipment and the carrier must make an inspection within five (5) working days thereafter.

Provided further, that the consignee shall have the opportunity to examine the condition of the package in which the goods are shipped prior to signing the delivery receipt.

Provided further, that the consignee may detain the driver at consignee's expense not to exceed a minimum charge to be fixed by the public service commission while he examines the shipment for possible concealed damage. During such examination, the freight bill may still be noted as the extent of the damage or loss, if any. If examination discloses damage, the examination charge may be included in the consignee's claim for damage in proportion to the amount of the claim.

Provided further, that carriers must acknowledge receipt of each claim within thirty (30) days and promptly investigate each claim, and either pay or decline the claim within one hundred twenty (120) days from the date of receipt thereof or provide an explanation for the delay in disposition. An assertion that the claim is still being investigated shall not constitute sufficient explanation.

Provided further, that in the event a claimant or a carrier successfully prosecutes or defends a claim for loss or damage under this section, wherein it is alleged the carrier has not disposed of the claim within one hundred twenty (120) days or explained the delay, and providing further, that the claimant has inquired of the carrier regarding the delay, in writing, within the one hundred twenty (120) day period, then the court exercising jurisdiction may, at its discretion, award reasonable attorney fees to the successful party but not to exceed five hundred dollars (\$500).

Section 2. There is a new R.C.M. section, numbered 8-812.2, that reads as follows:

8-812.2. Liability between carriers. The common carrier, railroad, or transportation company issuing such receipt or bill of lading, or delivering such property so received and so transported shall be entitled to recover from the common carrier, railroad, transportation company, on whose line the loss, damage or injury shall have been sustained, the amount of such loss, damage, or injury as it may be required to pay to the owners of such property, as may be evidenced by any receipt, judgment, or transcript thereof, and the amount of any expense reasonably incurred by it in defending any action at law brought by the owners of such property.

Section 3. Section 8-812, R.C.M. 1947, is repealed."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 370, respectfully report as follows: That House Bill No. 370 be amended in the introduced bill as follows:

1. Amend page 3, section 2, subsection (3), line 3.
Strike: "[that may pollute state waters;]"
Insert: "that may pollute state waters;"
2. Amend page 3, section 2, subsection (3), lines 3 and 4.
Following: "[waters;]"
Strike: "resulting from industrial, municipal, or agricultural activities;"
3. Amend page 3, section 2, subsection (5), line 20.
Following: "permit"
Strike: "regulations"
Insert: "rules"
4. Amend page 13, section 7, subsection (2), lines 11 and 12.
Following: "department"
Strike: "[, upon presentation of his credentials,]"
Insert: ", upon presentation of his credentials,"
5. Amend page 16, section 9, subsection (2), line 24.
Following: "authorized"
Strike: "employee"
Insert: "representative"
6. Amend page 19, section 11, subsection (1), line 8.
Following: "separate"
Strike: "offense"
Insert: "violation"
7. Amend page 22, section 14, subsection (1), line 6.
Following: "municipality"
Strike: "shall"
Insert: "or other entities operating a sewage system may"
8. Amend page 22, section 14, subsection (1), line 12.
Following: "municipality"
Insert: "or other entities operating a sewage system"
9. Amend page 22, section 14, subsection (2), line 13.
Following: "municipality"
Insert: "or other entities operating a sewage system"
10. Amend page 22, section 14, subsection (2), line 14.
Following: "municipality"
Insert: "or other entities operating a sewage system"
11. Amend page 22, section 14, subsection (3), line 22.
Following: "municipality"
Insert: "or other entities operating a sewage system"
12. Amend page 23, section 14, subsection (3) (a), line 2.
Following: "municipality"

Insert: "or other entities operating a sewage system"

13. Amend page 23, section 14, subsection (4), line 7.

Following: "municipality"

Insert: "or other entities operating sewage systems"

14. Amend page 23, section 14, subsection (5), line 14.

Following: "municipality"

Insert: "or other entities operating sewage systems"

15. Amend page 23, section 14, subsection (5), line 17.

Strike: "commission"

Insert: "board"

16. Amend page 23, section 14, subsection (6), line 22.

Following: "section, the"

Strike: "commission"

Insert: "department"

17. Amend page 24, section 15, line 4.

Following: "municipality"

Insert: "or other entities operating sewage systems"

18. Amend page 24, section 15, line 5.

Following: "applicable, the"

Strike: "department"

Insert: "board"

19. Amend page 24, section 16, lines 10 through 14.

Strike: all of section 16.

(Material in brackets denotes cancelled type.)

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 19, respectfully report as follows: That Senate Bill No. 19 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 17.

Following: "and"

Insert: "all information obtained from"

2. Amend page 1, section 1, lines 21 and 22.

Following: "exploration"

Strike: "such as locating and acquiring lands for tailing ponds,"

And as amended, be concurred in.

BRADLEY, Chairman

Report adopted.

MESSAGE FROM THE OTHER HOUSE

February 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 105, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 302 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Seifert, Sivertsen, Sloan, Smith, South, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Day, Robbins. Total 2.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Gerke, Hubing, Johnson, Kropp, James Moore, Mular, Scully, Shelden, Staigmillier, Teague, Travis. Total 11.

House Bill No. 351 passed by the following vote:

Ayes: C. R. Anderson, Asher, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Fleming, Gilligan, Gould, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Marks, Meloy, Menahan, Murphy, Palmer, Quilici, Rasmussen, Richards, Shelden, Sivertsen, Sloan, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 55.

Noes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Casey, Conroy, Day, Ellison, Fabrega, Finley, Fishbaugh, Gunderson, Guthrie, Gwynn, Hubing, Johnston, Kelly, Kropp, Kvaalen, Lockrem, Lund, Lynch, McFadden, Magone, Manuel, Mercer, Jack Moore, O'Connell, Robbins, Schye, Seifert, Smith, South, Wyrick. Total 36.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Gerke, James Moore, Mular, Scully, Staigmillier, Teague, Travis. Total 7.

House Bill No. 493 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem,

Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Gunderson, Guthrie. Total 2.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Ellison, Gerke, Mular, Scully, Staigmiller, Teague, Travis. Total 7.

House Bill No. 499 passed by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Seifert, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: C. R. Anderson, Asher, Casey, Day, Ellerd, Ellis, Ellison, Gould, Lockrem, Mercer, Robbins, Shelden, Wyrick. Total 13.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Gerke, Mular, Scully, Staigmiller. Total 4.

House Bill No. 523 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Rasmussen, Richards, Robbins, Schye, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: Brand, Dassinger, Fishbaugh, Kelly, Lynch, Menahan, Quilici, Seifert, Wyrick. Total 9.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Conroy, Gerke, Mular, Palmer, Scully, Staigmiller, Teague, Travis. Total 8.

House Bill No. 571 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson,

Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Gerke, Mular, Scully, Staigmilller, Teague. Total 5.

House Bill No. 590 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, South, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Yardley. Total 71.

Noes: J. Anderson, Babcock, Bertelsen, Brand, Ellison, Gould, Guthrie, Hubing, Johnston, Kropp, Kvaalen, Lockrem, Lund, Marks, Mercer, O'Connell, Seifert, Smith, Wyrick, Mr. Speaker. Total 20.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Gerke, Mular, Schye, Scully, Staigmilller, Teague, Williams. Total 7.

House Bill No. 600 passed by the following vote:

Ayes: Aageson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 77.

Noes: C. R. Anderson, J. Anderson, Babcock, Brand, Casey, Ellerd, Ellison, Guthrie, Kropp, Lory, Lund, Marks, Schye, Smith, Underdal, Wyrick. Total 16.

Excused: Kendall, Wood. Total 2.

Absent or not voting: Gerke, Mular, Scully, Staigmilller, Teague. Total 5.

Driscoll moved that the House adjourn until 1:00 p.m., February 22, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 22, 1975

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fortieth Legislative Day, find the same to be correct.

JOHNSTON, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 22, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 313, 492, 539.

JOHNSTON, Vice-Chairman

February 21, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 173.

JOHNSTON, Vice-Chairman

February 22, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on February 21, 1975: Senate Bill No. 85, Senate Bill No. 132, Senate Bill No. 171.

Edwin A. Smith, Chief Clerk
House of Representatives

February 22, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 488, respectfully report as follows: That House Bill No. 488 be amended in the introduced bill as follows:

1. Amend page 2, section 1, line 2.

Strike: "(2) The"

Insert: "the"

Re-number: subsequent subsections.

2. Amend page 2, section 1, line 4.

Following: ".6[]"

Strike: ", when the gross value of grazing or field crops produced for sale or home consumption thereon together with any payments received under a crop-land retirement program totals at least [one thousand (\$1,000)] two thousand dollars (\$2,000) per year"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

YARDLEY, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 do not pass.

YARDLEY, Chairman

February 22, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 477, respectfully report as follows: That House Bill No. 477 do not pass.

YARDLEY, Chairman

MESSAGES FROM THE OTHER HOUSE

February 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 141, introduced by Murphy, Manley, Thiessen, et al

Senate Bill No. 193, introduced by Norman

Senate Bill No. 299, introduced by Lynch, Healy, Seibel, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 210, introduced by Conover, Foster

Senate Bill No. 216, introduced by Norman (by request of Department of Social and Rehabilitation Services)

Senate Bill No. 295, introduced by Turnage, Mathers

Senate Bill No. 338, introduced by Roberts

Senate Bill No. 350, introduced by Lynch

Senate Bill No. 355, introduced by Galt, Story

Senate Bill No. 380, introduced by Romney, Cetrone, Blaylock

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

Conroy moved that the House reconsider its action of the previous legislative day in failing to pass House Bill No. 239 on Second Reading. Conroy requested a roll call vote with the ayes and noes spread upon the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Gilligan, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lund, Lynch, McFadden, Magone, Marks, Menahan, Jack Moore, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, South, Staigmiller, Tropila, Williams, Wolfe, Wyrick, Mr. Speaker. Total 62.

Noes: Brand, Driscoll, Dussault, Gunderson, Johnston, Lockrem, Manuel, Mercer, James Moore, Palmer, Sloan, Stoltz, Vincent, Yardley. Total 14.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Bardanouve, Bradley, Dassinger, Finley, Gerke, Holmes, Huennekens, Kimble, Luebeck, Meloy, Mular, Richards, Shelden, Thomas, Wood. Total 15.

Babcock moved that consideration of House Bill No. 348 now on Second Reading be passed this legislative day.

Motion carried.

Finley moved that consideration of House Bill No. 267 now on Second Reading be passed this legislative day.

Motion carried.

Gunderson moved that consideration of House Bill No. 476 now on Second Reading be passed this legislative day.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that all bills which pass Second Reading this day without amendments be placed on Third Reading this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 696, introduced by Kummerfeldt, Lund, Lien, Gunderson, Day: A bill for an act entitled: "An act appropriating moneys to the Department of Agriculture for insect spraying programs on rangeland and cropland." Referred to Committee on Appropriations.

Senate Bill No. 141, introduced by Murphy, Manley, Thiessen, Kolstad,

Jergeson, Hazelbaker: A bill for an act entitled: "An act to amend Sections 16-1185 and 76-108, R.C.M. 1947, to provide for the appropriation of federal revenue sharing funds by the board of county commissioners of any county to Montana conservation districts; and to grant to the Montana conservation districts the authority to apply for and receive federal revenue sharing funds." Referred to Committee on Local Government.

Senate Bill No. 193, introduced by Norman: A bill for an act entitled: "An act to amend the off-street parking law; enabling parking commissions to provide coordinated regulation of on-street as well as off-street parking; providing for variable size of parking commissions where desired; increasing permissible ground floor area of parking buildings for incidental uses; deleting requirement of tripling parking area necessary for acquisition of lands already used for parking; amending Sections 11-3701, 11-3704, 11-3707, and 11-3708, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 299, introduced by Lynch, Healy, Seibel, Jergeson, Greeley, Devine, Dunkle, Roskie, Story: A bill for an act entitled: "An act to include daily expenses as compensation for legislators in the public employees retirement system; to make minor changes in language; amending section 68-1503, R.C.M. 1947." Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 154 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Sivertsen. Total 1.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Aageson, Bardanouve, Lory, Marks, Rasmussen, Wood. Total 6.

House Bill No. 328 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 72.

Noes: Asher, Babcock, Barrett, Ellerd, Ellis, Ellison, Gould, Guthrie, Hubing, Jacobsen, Lockrem, Lund, Marks, Mercer, Schye, Seifert, Smith, Wood, Wyrick. Total 19.

Paired: Driscoll, Aye; Gould, No.

Excused: Federico, Fleming, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 8.

Absent or not voting: Bardanouve. Total 1.

House Bill No. 388 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Guthrie. Total 1.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Bardanouve, Ellison. Total 2.

House Bill No. 427 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Gerke, Gilligan, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, McFadden, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Wolfe, Yardley, Mr. Speaker. Total 75.

Noes: Casey, Day, Ellerd, Guthrie, Hager, Hubing, Kvaalen, Marks, Mercer, Smith, Williams, Wood, Wyrick. Total 13.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Bardanouve, Fishbaugh, Lockrem. Total 3.

House Bill No. 469 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund,

Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 86.

Noes: Asher, Hager. Total 2.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Bardanouve, James Moore, Wood. Total 3.

House Bill No. 538 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: None.

House Bill No. 597 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Hager. Total 1.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Smith, Wood. Total 2.

House Bill No. 618 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis,

Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Wood. Total 1.

House Joint Resolution No. 47 passed by the following vote:

Ayes: Ageson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sloan, South, Stoltz, Tropila, Vincent, Williams, Wolfe. Total 64.

Noes: C. R. Anderson, Babcock, Barrett, Bertelsen, Ellis, Ellison, Fagg, Guthrie, Hubing, Kropp, Lockrem, Lory, Marks, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Smith, Staigmiller, Thomas, Wyrick, Yardley, Mr. Speaker. Total 24.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Dussault, James Moore, Wood. Total 3.

Senate Bill No. 150 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Vincent, Wolfe, Yardley, Mr. Speaker. Total 58.

Noes: C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Brand, Casey, Conroy, Dassinger, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Guthrie, Gwynn, Hager, Hubing, Johnston, Kropp, Kvaalen, Lockrem, Lory, Lund, Manuel, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Tropila, Wood, Wyrick. Total 38.

Paired: Federico, Fleming, Hageman, Teague, Travis, Ayes; Ellerd, Gould, Lockrem, Seifert, Smith, Noes.

Excused: Underdal. Total 1.

Absent or not voting: Kendall, Scully, Williams. Total 3.

Senate Bill No. 170 was concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand,

Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennkens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Wood. Total 1.

Senate Bill No. 178 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennkens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Wood. Total 1.

Senate Bill No. 184 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennkens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Scully, Teague, Travis, Underdal. Total 9.

Absent or not voting: Wood. Total 1.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the

Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 22, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Lockrem excused at this time.

That House Bill No. 683 do pass. (72-1)

That House Joint Resolution No. 29 do pass. (54-21)

That House Bill No. 483 do pass. (80-1)

That House Bill No. 608 do pass. (54-31)

That House Bill No. 627 do pass. (50-38)

That House Bill No. 260 do pass. (74-5)

That House Bill No. 330 do pass. (67-20)

That House Bill No. 332 do pass. (63-23)

That House Bill No. 362 do pass. (76-9)

That House Bill No. 444 do pass. (47-42)

That House Bill No. 507 be passed for the day.

That House Bill No. 632 be passed to the bottom of the board.

South in the Chair.

That House Joint Resolution No. 57 do pass. (80-2)

That Senate Bill No. 105 be passed for the day.

That Senate Bill No. 108 be amended as follows:

1. Amend the February 19, 1975, House Committee on Business and Industry amendment number 2.

Following: "forms of energy"

Insert: "or recommends usage at times of lower rates or lower demand"
(68-5)

And as amended, do pass. (59-37)

Murphy resumes the Chair.

That Senate Bills Nos. 113, 129, 168, and 232 be passed to the bottom of the board.

That House Bill No. 173 be passed for the day.

That House Bill No. 223 do pass. (55-27)

That House Bill No. 353 do pass. (73-10)

That House Bill No. 360 be passed for the day.

That the Committee rise and report and beg leave to sit again.

MURPHY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 22, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Forty-fourth session at the beginning of business February 19, 1975:

Scott Romine.....	Page
Debbie Anderson.....	Page

At the close of business, February 22, 1975, the following also be terminated:

Stacie Foster	Page
Jan Milesnick.....	Page
Mike Burgard.....	Page
Jon Finley	Page
Pamela Higbee.....	Page
Marian Labelle	Page
Penny McComb.....	Page

LYNCH, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 452, respectfully report as follows: That House Bill No. 452 do pass.

BRAND, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 do pass.

BRAND, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do pass.

BRAND, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 457, respectfully report as follows: That House Bill No. 457 do pass.

BRAND, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 458, respectfully report as follows: That House Bill No. 458 do pass.

BRAND, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 451, respectfully report as follows: That House Bill No. 451 do pass.

BRAND, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 555, respectfully report as follows: That House Bill No. 555 do pass.

HUENNEKENS, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 411 respectfully report as follows: That House Bill No. 411 do pass.

HUENNEKENS, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 426, respectfully report as follows: That House Bill No. 426 be amended in the introduced bill as follows:

1. Amend page 4, section 3, line 9.

Following: "A"

Strike: "good"

2. Amend page 11, section 13, line 18.

Following: "Disclosures"

Strike: "free"

3. Amend page 11, section 13, line 20.

Following: "[12]"

Strike: "without charge"

4. Amend page 11, section 13, line 21.

Following: "consumer"

Insert: ", with appropriate fees to be established by the department of business regulation, in accordance with the Administrative Procedure Act"

5. Amend page 15, following line 18.

Insert: two new sections 21 and 22 as follows:

"Section 21. Violation. For the purposes of this act, a violation of this law would be in violation of chapter 4, Title 85, R.C.M. 1947.

Section 22. Severability clause. The provisions of this act are severable and if any part or provision thereof shall be held void, the decisions of the court so holding shall not affect or impair any of the remaining part of provisions of this act."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 625, respectfully report as follows: That House Bill No. 625 be amended in the introduced bill as follows:

1. Amend page 3, section 4, subsection (7), line 24.

Following: "Montanans"

Strike: " ,"

Insert: " ,"

2. Amend page 3, section 4, following line 24.

Insert: a new subsection (8) as follows:

"(8) to promote and encourage where possible, job opportunities within the private sector in Montana."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 623, respectfully report as follows: That House Bill No. 623 be amended in the introduced bill as follows:

1. Amend page 5 section 1, subsection (15), line 8.

Following: "defined"

Insert: ", with the exception of used mobile homes or recreational vehicles which have a written notice informing the purchaser, and signed by the purchaser, of possible noncompliance with such standards."

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 be amended in the introduced bill as follows:

1. Amend page 1, section 2, subsection (1), line 25.

Following: "earnings"

Insert: "from Montana service"

2. Amend page 1, section 2, subsection (1), line 25.

Following: "on"

Strike: "a"

Insert: "an"

3. Amend page 2, section 2, subsection (1), line 1.

Strike: "depreciated average"

4. Amend page 2, section 2, subsection (2), line 2.

Following: "dollars"

Insert: "from Montana service"

5. Amend page 4, section 2, subsection (24), lines 24 and 25; and page 5, lines 1 through 20.

Strike: subsection (24) in its entirety, and renumber subsequent subsections.

6. Amend page 6, section 2, new subsection (25) (a), line 2.

Strike: subsection (a) in its entirety, and reletter subsequent subsections.

7. Amend page 6, section 2, new subsection (25), new (b), line 7.

Following: "lobbying"

Strike: "with respect to federal, state, or legal legislative or administrative bodies"

8. Amend page 6, section 2, new subsection (27), line 25.

Following: "company"

Strike: ";

Insert: ", to the extent such information is available."

9. Amend page 7, section 2, new subsection (28), line 1.

Strike: "brief"

10. Amend page 7, section 2, new subsection (28), lines 5 and 6.

Following: "clear"

Strike: ", nontechnical"

11. Amend page 7, section 2, new subsection (29), lines 8, 9 and 10.

Following: "each"

Strike: "county and for each community of one thousand (1,000) population or more,"

Insert: "Montana service area"

12. Amend page 7, section 2, new subsection (29) (b), line 20.

Following: "year"

Insert: ", beginning January 1, 1976"

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 664, respectfully report as follows: That House Bill No. 664 be amended in the Second Reading bill as follows:

1. Amend page 2, section 1, lines 18 and 19.

Following: "[1947.]"

Strike: "[The department may not issue any]"

Insert: "The department may not issue any"

2. Amend page 2, section 1, lines 19 through 21.

Following: "[additional]"

Strike: "[permits to an operator who has repeatedly been in noncompliance or violation of this act.]"

Insert: "mining or mine site location permits to an operator who has repeatedly been in noncompliance or violation of this act."

3. Amend page 2, section 1, line 21.

Following: "[act.]"

Insert: "For purposes of this section, two (2) or more willful noncompliances or violations within a three (3) year period shall constitute repeated noncompliances or violations."

4. Amend page 2, section 1, line 22.

Strike: subsection (3) in its entirety.

5. Amend page 3, section 1, lines 1 through 7.

Strike: subsections (4) and (5) in their entirety.

6. Amend page 3, section 2, lines 13 and 14.

Following: "than"

Strike: "[one hundred dollars (\$100)] two hundred fifty dollars (\$250)"

Insert: "one hundred dollars (\$100)"

7. Amend page 3, section 2, lines 15 and 16.

Following: "than"

Strike: "[one thousand dollars (\$1,000)] two thousand five hundred dollars (\$2,500)"

Insert: "one thousand dollars (\$1,000)"

8. Amend page 3, section 2, lines 17 and 18.

Following: "than"

Strike: "[one hundred dollars (\$100)] two hundred fifty dollars (\$250)"

Insert: "one hundred dollars (\$100)"

9. Amend page 3, section 2, lines 19 and 20.

Following: "than"

Strike: "[one thousand dollars (\$1,000)] two thousand five hundred dollars (\$2,500)"

Insert: "one thousand dollars (\$1,000)"

10. Amend page 4, section 2, line 20.

Following: "specifically"

Strike: "directed"

Insert: "ordered"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 496, respectfully report as follows: That House Bill No. 496 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Following: "insurers"

Strike: "of motor vehicles"

2. Amend page 2, section 1, subsection (c), line 20.

Following: "In any"

Insert: "tort"

3. Amend page 2, section 1, subsection (c), lines 20 through 22.

Following: "damages"

Strike: "caused by the negligent operation, management or control of a motor vehicle,"

4. Amend page 2, section 1, subsection (c), line 22.

Following: "insurer"

Strike: "of motor vehicles,"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 647, respectfully report as follows: That House Bill No. 647 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Following: "23-3006,"

Insert: "and repealing sections 23-3722 and 23-3723,"

2. Amend page 1, section 1, subsection (2), lines 20 through 25 and page 2, line 1.

Following: "(2)"

Strike: all of subsection (2) in its entirety.

Insert: "An elector may register by mailing, postage paid, a properly completed registry card to the registrar in the county in which he resides.

(a) The registrar shall send registry cards for mail registrations to all persons requesting them, whether the application is made in writing or by telephone, and shall, in addition, arrange for the cards to be available from city and town clerks within the county and may arrange for them to be available at other locations within the county. The mail registry card shall be in the form prescribed by the secretary of state.

(b) The elector shall complete, sign, and either verify or affirm the registry card before a notary public or other officer empowered to administer oaths, or, complete and sign the card and obtain the signature, address and voting precinct of at least one registered voter in the county, who shall witness for the facts stated on the registry card.

(c) The registration card must be received on or before the day of the close of registration.

(d) Upon receipt of a properly executed registry card the county registrar shall cause to be sent to the new voter a postcard affirming registration and giving the location of the voter's polling place. On the face of the notification shall be printed the words, 'Do Not Forward, Return Postage Guaranteed'."

3. Amend page 2, section 1, subsection (4), lines 10 and 11.

Following: "prison for"

Strike: "less than one (1) nor"

4. Amend page 2, section 1, subsection (4) (b), lines 15 and 16.

Following: "required"

Strike: "by registration to any registrar or deputy registrar and causes his name to be registered"

Insert: "upon his registry card, and causes or attempts to cause registration with the card"

5. Amend page 2, section 1, subsection (4) (c), line 18.

Following: "act"

Strike: ","

Insert: "; or,"

6. Amend page 2, section 1, subsection (4) (c), following line 18.

Insert: "(d) Signs a registry card knowingly witnessing any false or misleading statement.

Section 2. Sections 23-3722 and 23-3723, R.C.M. 1947, are repealed."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 620, respectfully report as follows: That House Bill No. 620 be amended in the introduced bill as follows:

1. Amend page 8, section 6, subsection (6), lines 4 and 5.

Following: "for not"

Strike: "less than one (1) nor more than fourteen (14) years"

Insert: "more than three (3) years"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 349, respectfully report as follows: That House Bill No. 349 be amended in the introduced copy as follows:

1. Amend page 3, section 1, subsection (2) (e) (i), line 3.

Following: "subirrigated"

Insert: "hay meadows or other crop"

2. Amend page 3, section 1, subsection (2) (e) (ii), lines 7 and 8.

Following: "during"

Strike: "two hundred seventy (270)"

Insert: "one hundred twenty (120)"

3. Amend page 3, section 1, subsection (2) (e) (ii), line 8.

Following: "years"

Insert: ", or whose drainage area above the lowest point of impact on the watercourse by the proposed surface mining operation encompasses ten thousand or more acres or such lesser amount if in the determination of the department the proposed surface mining operation would have a significant adverse impact upon the watercourse and its drainage area"

4. Amend page 4, section 2, line 2.

Following: "act"

Insert: "or to permits that may be issued to the same operator on contiguous land"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250 be amended in the introduced bill as follows:

1. Amend page 10, section 6, subsection (g), lines 17 and 18.

Following: "accommodations"

Strike: "the reasonable value of which exceeds five thousand dollars (\$5,000)"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 be amended in the introduced bill as follows:

1. Amend page 26, section 11, subsection (3), lines 12 through 25 and page 27, lines 1 through 19.

Strike: all of subsection (3) in its entirety.

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 610, respectfully report as follows: That House Bill No. 610 do not pass.

HUENNEKENS, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 544, respectfully report as follows: That House Bill No. 544 do not pass.

HUENNEKENS, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 651, respectfully report as follows: That House Bill No. 651 do not pass.

HUENNEKENS, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 526, respectfully report as follows: That House Bill No. 526 do not pass.

HUENNEKENS, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration House Bill No. 644, respectfully report as follows: That House Bill No. 644 do not pass.

HUENNEKENS, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 534, respectfully report as follows: That House Bill No. 534 do not pass.

HUENNEKENS, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 406, respectfully report as follows: That House Bill No. 406 do not pass.

HUENNEKENS, Chairman

February 22, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 481, respectfully report as follows: That House Bill No. 481 do pass.

GUNDERSON, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 566, respectfully report as follows: That House Bill No. 566 be amended in the introduced bill as follows:

1. Amend page 3, section 1, subsection (2), line 3.

Following: "(3)"

Insert: "of the appointed"

2. Amend page 3, section 1, subsection (2), line 3.

Following: "(2)"

Insert: "of the appointed"

3. Amend page 3, section 1, subsection (3), line 7.

Following: "shall"

Strike: "be responsible"

Insert: "have delegated responsibility"

4. Amend page 3, section 2, line 19.

Following: "administer"

Insert: "for the administrative committee"

5. Amend page 3, section 2, line 22.

Following: "shall"

Insert: "at the discretion of the administrative committee"

6. Amend page 3, section 2, subsection (1), line 23.

Following: "(1)"

Strike: "administer the"

Insert: "be the chief administrative officer for the administrative committee for the administration of the"

7. Amend page 3, section 2, subsection (2), line 25, and page 4, line 1.

Following: "for"

Strike: "vocational education board"

Insert: "administrative committee"

8. Amend page 4, section 2, subsection (7), line 14.

Following: "a"

Strike: "policy"

9. Amend page 4, section 2, subsection (7), line 14.

Following: "manual"

Insert: "of operations"

10. Amend page 4, section 2, subsection (7), line 16.

Following: "centers"

Insert: "in accordance with the policy of the state board of vocational education"

11. Amend page 5, section 3, subsection (1), line 3.

Following: "subsection"

Strike: "(3)"

Insert: "(4)"

12. Amend page 6, section 4, lines 23 and 24.

Following: "through"

Strike: "other programs as designated by the board of vocational education"

Insert: "contracted services with the administrative committee"

13. Amend page 7, section 4, line 15.

Following: "education"

Strike: "as defined in section 75-7702"

14. Amend page 7, section 5, line 25.

Following: "education"

Strike: "standards"

Insert: "policies"

15. Amend page 8, section 5, lines 1 and 2.

Following: "education"

Strike: "as defined in section 75-7702"

16. Amend page 8, section 5, line 4.

Following: "the"

Strike: "board of education"

Insert: "administrative committee"

17. Amend page 8, section 6, lines 15 and 16.

Strike: "state board of vocational education as defined in section 75-7702,"

Insert: "administrative committee,"

18. Amend page 8, section 7, lines 23 and 24.

Following: "education"

Strike: "as defined in section 75-7702"

19. Amend page 9, section 7, subsection (1), line 9.

Following: "by the"

Insert: "policy of the state"

20. Amend page 9, section 7, subsection (1), line 10.

Following: "of"

Insert: "vocational"

21. Amend page 10, section 8, line 16.

Strike: "centers"

22. Amend page 10, section 8, lines 16 and 17.

Following: "education"

Strike: "as defined in section 75-7702"

23. Amend page 10, section 8, line 17.

Following: "shall"

Insert: ", through the administrative committee,"

24. Amend page 11, section 8, line 22.

Following: "approval"

Strike: "procedure"

Insert: "policy"

25. Amend page 12, section 9, lines 2 and 3.

Following: "budgets"

Strike: " — state board of [public] vocational education administration"

26. Amend page 12, section 9, line 4.

Following: "by"

Insert: "the administrative committee in accordance with policies of"

27. Amend page 12, section 9, line 5.

Following: "education"

Strike: "as defined in section 75-7702"

28. Amend page 12, section 9, subsection (2), lines 16 and 17.

Following: "located"

Strike: "is hereby authorized to"

Insert: "shall"

29. Amend page 12, section 9, subsection (3), line 25.

Following: "education"

Insert: "policy"

30. Amend page 13, section 9, subsection (4) (c), lines 20 and 21.

Following: "to"

Strike: "the approval"

Insert: "provisions of the policy"

31. Amend page 14, section 9, subsection (5), line 3.

Following: "education"

Insert: "policy"

32. Amend page 14, section 9, line 4.

Strike: "direct"

Insert: "specify"

33. Amend page 14, section 9, line 4.

Following: "direct the"

Insert: "method of"

34. Amend page 14, section 9, lines 6 and 7.

Following: "by the"

Strike: "state board of [public] vocational education"

Insert: "administrative committee"

35. Amend page 14, section 9, line 11.

Following: "The"

Strike: "state board of [public] vocational education"

Insert: "administrative committee"

36. Amend page 14, section 9, line 13.

Following: "and"

Strike: "may"

37. Amend page 14, section 9, line 13.

Following: "budgets"

Insert: "of each center"

38. Amend page 14, section 9, lines 15 and 16.

Following: "by the"

Strike: "state board of [public] vocational education"

Insert: "administrative committee"

39. Amend page 14, section 9, line 16.

Following: "for"

Insert: "the"

40. Amend page 14, section 10, line 23.

Following: "shall"

Strike: "administer such"

Insert: "operate the"

41. Amend page 15, section 10, line 1.

Following: "education"

Strike: "as defined in section 75-7702"

42. Amend page 15, section 12, line 25.

Following: "center."

Strike: "The"

Insert: "Policy of the"

43. Amend page 16, section 12, line 1.

Following: "education"

Strike: "as defined in section 75-7702"

44. Amend page 16, section 12, line 7.

Strike: "superintendent of public instruction"

Insert: "executive officer for vocational education"

45. Amend page 16, section 12, lines 10 and 11.

Following: "the"

Strike: "state board of vocational education"

Insert: "administrative committee"

46. Amend page 16, section 13, lines 17 and 18.

Following: "education"

Strike: "as defined in section 75-7702"

47. Amend page 16, section 13, line 20.

Following: "lease to"

Insert: ", or from,"

48. Amend page 16, section 13, line 22.

Following: "state"

Insert: "or district"

49. Amend page 16, section 13, lines 23 and 24.

Following: "made"

Strike: "by the legislature of the state of Montana"

50. Amend page 16, section 13, line 24.

Following: "supporting"

Strike: "the district's"

Insert: "a"

51. Amend page 17, section 13, line 2.

Following: "nominal."

Insert: "Right of renewal of the lease shall be guaranteed if the building is utilized for the purposes of postsecondary vocational education."

52. Amend page 17, section 13, lines 3 through 14.
Strike: all the material contained in lines 3 through 14.

53. Amend page 23, section 15, subsection (22), line 5.
Following: "moneys"

Insert: "— except federal funds for vocational education as described in sections 75-7705 and 75-7706 —"

(Material in brackets denotes cancelled type.)

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 513, respectfully report as follows: That House Bill No. 513 be amended in the introduced bill as follows:

1. Amend page 1, section 1, lines 13 and 14.

Following: "support"

Strike: "units of university"

Insert: "of public educational institutions subject to board of regents' supervision"

2. Amend page 1, section 1, line 22.

Following: "system"

Strike: "; except that the"

Insert: "and other public educational institutions subject to board of regents' supervision. The"

3. Amend page 1, section 1, line 24.

Following: "levy"

Insert: "from the community college district in which the community college is located"

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 624, respectfully report as follows: That House Bill No. 624 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (3), line 7.

Following: "amount"

Strike: "not to exceed"

Insert: "of"

2. Amend page 2, section 1, following subsection (3) on line 8.

Following: line 8.

Insert: "If the state cannot fund the community colleges at sixty-five percent (65%) of the regents' recommended budget, the county commissioners of each county in which community colleges are located shall levy additional taxes in such number of mills on the taxable value of all taxable property within the county, as is required to complete the financing of the budget as approved by the board of regents up to the sixty-five percent (65%) level. The state shall permit the community college districts to raise the additional funds under section 75-8131."

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

MOTIONS

Driscoll moved that the rules be temporarily suspended and that all bills reported out of committee unamended be placed on Second Reading this day.

Motion carried.

Bardanouve moved that House Bill No. 223 be taken from Third Reading and be placed on Second Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 683 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Brand, Dassinger, Seifert, Sivertsen. Total 4.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Fagg, Gwynn, Johnson, McFadden, Quilici, Robbins, Shelden, Wood. Total 9.

House Joint Resolution No. 29 passed by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, Magone, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Shelden, Sloan, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 61.

Noes: C.R. Anderson, Asher, Bertelsen, Casey, Conroy, Ellerd, Ellison, Fabrega, Guthrie, Gwynn, Hubing, Jacobsen, Kropp, Kvaalen, Manuel, Mercer, Jack Moore, Seifert, Sivertsen, Smith, Wood, Wyrick. Total 22.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Fagg, Johnson, McFadden, Quilici, Robbins. Total 6.

House Bill No. 483 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Casey. Total 1.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Ellis, Fagg, Johnson, McFadden, Quilici, Robbins. Total 7.

House Bill No. 608 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Bradley, Conroy, Dassinger, Dussault, Ellerd, Ellis, Ellison, Fabrega, Gerke, Gilligan, Gunderson, Guthrie, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Kimble, Kropp, Kvaalen, Lien, Lory, Luebeck, Magone, Manuel, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Rasmussen, Richards, Schye, Shelden, Sivertsen, Staigmillier, Stoltz, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 56.

Noes: Bardanouve, Bengtson, Brand, Casey, Driscoll, Finley, Fishbaugh, Gwynn, Harper, Hubing, Johnston, Kanduch, Kelly, Kemmis, Kummerfeldt, Lester, Lynch, Menahan, O'Connell, Seifert, Sloan, Smith, South, Thomas, Tropila, Mr. Speaker. Total 26.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Fagg, Johnson, Marks, McFadden, Quilici, Robbins. Total 7.

House Bill No. 627 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Conroy, Dassinger, Ellerd, Ellison, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Hager, Halvorson, Helmbrecht, Holmes, Jacobsen, Johnston, Kanduch, Kelly, Kimble, Kropp, Kvaalen, Lester, Lien, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Sivertsen, Smith, South, Staigmillier, Tropila, Williams, Wolfe, Wood, Wyrick, Yardley. Total 52.

Noes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Driscoll, Dussault, Ellis, Gunderson, Guthrie, Harper, Hubing, Huennekens, Kemmis, Kummerfeldt, Lory, Marks, Mular, Rasmussen, Richards, Schye, Seifert, Shelden, Sloan, Stoltz, Thomas, Vincent, Mr. Speaker. Total 29.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Fagg, Gwynn, Herlevi, Johnson, McFadden, Quilici, Robbins. Total 8.

House Bill No. 260 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 76.

Noes: Hager, Mercer, Thomas, Tropila, Wood, Wyrick. Total 6.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Ellison, Fagg, Johnson, McFadden, Quilici, Robbins. Total 7.

House Bill No. 330 passed by the following vote:

Ayes: Aageson, C.R. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Finley, Gerke, Gilligan, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Shelden, Sivertsen, South, Staigmilller, Stoltz, Thomas, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 61.

Noes: J. Anderson, Asher, Babcock, Casey, Conroy, Ellerd, Fishbaugh, Guthrie, Hager, Hubing, Jacobsen, Kropp, Manuel, Mercer, Seifert, Sloan, Smith, Tropila, Wood, Wyrick. Total 20.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Fagg, Johnson, Lory, McFadden, Marks, Quilici, Robbins. Total 8.

House Bill No. 332 passed by the following vote:

Ayes: Aageson, C.R. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Shelden, Sivertsen, South, Staigmilller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 60.

Noes: J. Anderson, Asher, Babcock, Bardanouve, Barrett, Casey, Ellerd, Ellison, Guthrie, Hager, Hubing, Jacobsen, Kropp, Kvaalen, Lien, Manuel, Mercer, Schye, Seifert, Sloan, Smith, Wood, Wyrick. Total 23.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Fagg, McFadden, Marks, Quilici, Robbins. Total 6.

House Bill No. 362 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Shelden, Sloan, South, Staigmilller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 72.

Noes: Aageson, Asher, Babcock, Ellerd, Ellison, Guthrie, Hubing, Marks, Mercer, Seifert, Sivertsen, Smith. Total 12.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Fagg, McFadden, Quilici, Robbins. Total 5.

House Bill No. 444 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Dassinger, Driscoll, Dussault, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Lester, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Schye, Sloan, South, Staigmilller, Stoltz, Thomas, Tropila, Vincent, Wolfe, Yardley, Mr. Speaker. Total 47.

Noes: C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Casey, Conroy, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Guthrie, Gwynn, Hager, Halvorson, Hubing, Johnston, Kanduch, Kropp, Kvaalen, Lien, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Seifert, Shelden, Sivertsen, Smith, Underdal, Williams, Wood, Wyrick. Total 40.

Paired: Driscoll, Huennekens, Luebeck, Meloy, Richards, Ayes; Fagg, Gould, Lockrem, Lund, Underdal, Noes.

Excused: None.

Absent or not voting: Day, Federico, Fleming, Hageman, Jacobsen, Kendall, Kummerfeldt, McFadden, Quilici, Robbins, Scully, Teague, Travis. Total 13.

House Joint Resolution No. 57 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Seifert, Sivertsen, Sloan, South,

Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 75.

Noes: Guthrie, Mercer, Smith, Wood. Total 4.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Ellison, Fagg, Hager, Hubing, McFadden, Quilici, Robbins, Schye, Shelden. Total 10.

House Bill No. 353 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Sivertsen, Sloan, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 71.

Noes: Babcock, Brand, Casey, Ellison, Hubing, Kvaalen, Marks, Schye, Seifert, Smith, Wyrick. Total 11.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: Day, Fagg, McFadden, Quilici, Robbins, Shelden, Wood. Total 7.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 22, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 364 do pass. (56-29)

That House Bill No. 385 do not pass. (72-11)

That House Bill No. 404 do pass. (63-9)

That House Bill No. 433 do not pass. (50-41)

That House Bill No. 434 do pass. (73-1)

That House Bill No. 443 do pass. (58-17)

That House Bill No. 445 be passed for the day.

That House Bill No. 557 do pass. (77-7)

That House Bill No. 583 be amended as follows:

1. Amend page 2, line 8, section 1.

Reinsert: "consecutive" (70-5)

Brand replaces Murphy in the Chair. Murphy resumes Chair.

And as amended, do pass. (64-31)

That House Bill No. 648 do pass. (46-28)

That House Joint Resolution No. 27 do pass. (58-16)

That House Joint Resolution No. 54 do pass. (72-6)

That House Joint Resolution No. 58 do pass. (71-4)

That Senate Amendments to House Bills Nos. 70 and 32 be passed to the bottom of the board.

That House Bill No. 239 be passed until the Forty-second day.

-That House Bill No. 632 do not pass. (49-27)

That Senate Bill No. 19 be concurred in. (55-22)

That Senate Bills Nos. 116, 113, 129, 168, 232 be passed to the bottom of the board.

That House Bill No. 257 do pass. (71-8)

That House Bill No. 293 do pass. (75-6)

That House Bill No. 411 be passed for the day.

That House Bill No. 451 do pass. (63-19)

That House Bill No. 452 do pass. (59-19)

That House Bill No. 457 do pass. (60-21)

That House Bill No. 458 be passed for the day.

Brand replaces Murphy in the Chair.

That House Bill No. 481 do pass. (48-33)

Helmbrecht replaces Brand in the Chair.

That House Bill No. 555 be passed for the day.

That House Bill No. 223 be passed for the day.

Murphy resumes the Chair.

That the Committee rise and report.

MURPHY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 22, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly printed: House Resolutions Nos. 3 and 2, House Bills Nos. 190, 236, 342, 98, 164, 266, 176.

JOHNSTON, Vice-Chairman

February 22, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bills Nos. 372, 389, 120.

JOHNSTON, Vice-Chairman

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 517, respectfully report as follows: That House Bill No. 517 do pass.

MENAHAN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 55, respectfully report as follows: That House Joint Resolution No. 55 do pass.

MENAHAN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 563, respectfully report as follows: That House Bill No. 563 do pass.

MENAHAN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 562, respectfully report as follows: That House Bill No. 562 do pass.

MENAHAN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 561, respectfully report as follows: That House Bill No. 561 do pass.

MENAHAN, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 be amended in the introduced bill as follows:

1. Amend title, page 1, line 8.

Following: "age,"

Insert: "marital status, physical or mental handicap,"

2. Amend page 1, line 10.

Following: the enacting clause.

Insert: a new section to read as follows:

"Section 1. Definitions. As used in this act: 'state and local governmental agencies' means all branches, departments, offices, boards, bureaus, commissions, agencies, university units, colleges, or any other

instrumentality of state government; and counties, cities, towns, school districts or any other instrumentality of local government.”

Renumber: subsequent sections.

3. Amend page 1, lines 13 and 17; page 2, lines 12 and 25; page 3, lines 11 and 24; page 4, line 14; page 5, line 1.

Following: “age,”

Insert: “marital status, physical or mental handicap,”

4. Amend page 2, section 3, line 24.

Following: “that”

Insert: “all hiring shall be on the basis of merit and qualifications and a provision that”

5. Amend page 4, section 7, line 13.

Following: “all”

Strike: “qualified”

6. Amend page 4, section 7, line 13.

Following: “persons,”

Insert: “who shall be accepted on the basis of merit and qualifications”

7. Amend page 5, section 10, line 21.

Following: “government”

Insert: “which report to the governor”

8. Amend page 6, section 12, line 6.

Following: “Section 12.”

Strike: “Age”

Insert: “Permitted”

9. Amend page 6, section 12, line 8.

Following: “based on age”

Strike: “where age is”

Insert: “or physical or mental handicap when based on”

10. Amend page 6, section 13, line 19.

Following: “Section 13.”

Strike: “Judicial review”

Insert: “Remedies”

11. Amend page 6, section 13, line 21.

Following: “may”

Insert: “file a complaint with the commission for human rights or may”

12. Amend page 6, section 13, line 25.

Following: “suitable.”

Insert: “Commencement of the administrative remedy shall not preclude the judicial remedy.”

13. Amend page 7, section 13, lines 2 and 3.

Strike: subsection (3) in its entirety.

14. Amend page 7, following line 3.

Insert: “Section 14. Quotas not required. Nothing in this act shall be construed as requiring the institution of a system of quotas for representation of any sex, age, religious, racial, ethnic or other group affected by this act.”

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 442, respectfully report as follows: That House Bill No. 442 be amended in the introduced bill as follows:

1. Amend title, page 1, line 4.

Following: "act to"

Strike: "repeal"

Insert: "amend"

2. Amend title, page 1, line 6.

Following: "media"

Insert: ", to provide for general and special damages"

3. Amend page 1, section 1, line 10.

Following: "is"

Strike: "repealed."

Insert: "amended to read as follows:

'64-207.1. Notice in writing to publisher of libelous or defamatory matter—opportunity to correct—defense and mitigation of damages. Before any civil action shall be commenced on account of any libelous or defamatory publication in any newspaper, magazine, periodical, radio or television station, or cable television system, the libeled person shall first give those alleged to be responsible or liable for the publication a reasonable opportunity to correct the libelous or defamatory matter. Such opportunity shall be given by notice in writing specifying the article and the statements therein which are claimed to be false and defamatory and a statement of what are claimed to be the true facts. The notice may also state the sources, if any, from which the true facts may be ascertained with definiteness and certainty. The first issue of a newspaper, magazine or periodical published after the expiration of one week from the receipt of such notice shall be within a reasonable time for correction. In the case of radio and television stations and cable television systems a broadcast made at the same time of day as the broadcast complained of and of at least equal duration, which is made within seven (7) days following receipt of such notice shall be within a reasonable time for correction. To the extent that the true facts are, with reasonable diligence, ascertainable with definiteness and certainty, only a retraction shall constitute a correction; otherwise the publication of the libeled person's statement of the true facts, or so much thereof as shall not be libelous of another, scurrilous, or otherwise improper for publication, published as his statement, shall constitute a correction within the meaning of this section. If it shall appear upon trial that the publication was made under honest mistake or misapprehension, then a correction, timely published, without comment, in a position and type as prominent as the alleged libel, or in a broadcast made at the same time of day as the broadcast complained of and of at least equal duration, shall constitute a defense against the recovery of any damages except [actual] general and special damages, as well as being competent and material in mitigation of [actual] general and special damages to the extent the correction published does so mitigate them."

(Material in brackets denotes cancelled type.)

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 be amended in the introduced bill as follows:

1. Amend page 10, section 8, subsection (1), line 4.

Following: "department"

Strike: "may"

Insert: "shall"

2. Amend page 10, section 8, subsection (1), following line 6.

Insert: "(2) When a liability policy is cancelled the insurer shall notify the department of the cancellation or termination. Another policy must be purchased within thirty (30) days or registration shall be revoked. If the insurance company fails to notify the department, that company will be liable for any damages incurred by the cancellee."

Renumber: subsequent subsection.

3. Amend page 11, section 10, subsection (3), lines 14 and 15.

Following: "within"

Strike: "ninety (90) days of its submission or"

Insert: "thirty (30) days, or upon rejection of such claim"

4. Amend page 11, section 10, subsection (3), line 16.

Following: "final"

Insert: " ,"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 4.

Following: "sections"

Insert: "87-105,"

2. Amend page 1, following line 8.

Insert: a new section 1 as follows and renumber all subsequent sections:

"Section 1. Section 87-105, R.C.M. 1947, is amended to read as follows:

'87-105. Benefit eligibility conditions. An unemployed individual shall be eligible to receive benefits for any week of total unemployment within his benefit year only if the [commission] division finds that:

(a) He has registered for work at and thereafter has continued to report at an employment office in accordance with such regulation as the [commission] division may prescribe, except that the [commission] division may, by regulation, prescribe that such types of cases or situations with respect to which it finds that compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this act, provide for registration and reporting for work by mail or through other governmental agencies.

(b) He has made a claim for benefits in accordance with the provisions of section 87-107 (a).

(c) He is able to work and is available for work and is seeking work, provided, however, that no claimant shall be considered ineligible in any week of unemployment for failure to comply with the provisions of this subsection if such failure is due to an illness or disability which occurs after he has registered for work and no suitable work has been offered to such claimant after the beginning of such illness or disability.

(d) Prior to any week for which he claims benefits he has been totally unemployed for a waiting period of one (1) week. However, if claimant's benefit year expires during a period of compensable unemployment, claimant will continue to receive weekly benefits, in a new benefit year, if otherwise eligible, without interruption to serve the waiting week for the new benefit year, but will thereafter be required to serve the waiting week before receiving benefits during subsequent unemployment in the new benefit year. No week shall be counted as a week of total unemployment for the purposes of this subsection:

- (1) If benefits have been paid with respect thereto;
- (2) Unless the individual was eligible for benefits with respect thereto;
- (3) Unless it occurs within the benefit year of the claimant;
- (4) Unless it occurs after benefits first could become payable to any individual under this act.

(e) An individual who received benefits during a benefit year must perform services for remuneration after the beginning of that year as a condition for receiving benefits in a second benefit year. The service may be in either covered or noncovered employment, however, the individual must have earned the lesser of three-thirteenths (3/13) of his high quarter of his second benefit year or six (6) times his weekly benefit amount of that same year.

(f) Benefits based on service in employment defined in section 87-148 (j) (6) and (7) and section 87-110 (d) shall be payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this act; except that benefits based on service in an instructional, research, or principal administrative capacity in a public school of the state of Montana, or in an institution of higher education (as defined in section 87-148 (n)) shall not be paid to an individual for any week of unemployment which begins during the period between two successive academic years; or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity for any such public school, institution, or institutions of higher education for both such academic years of both such terms."

3. Amend page 9, present section 2, subsection (j) (6), line 18.

Strike: "December 31, 1974"

Insert: "July 1, 1975"

4. Amend page 9, present section 2, subsection (j) (6), line 20.

Following: "state,"

Strike: "or any of the political subdivision thereof, or of any of its instrumentalities (or in the employ of this state, or any of the political subdivisions thereof,"

Insert: "other than elected public officials, who work for the state of Montana, its university, any of its colleges, public schools, components or units thereof, or any local government unit,"

5. Amend page 9, present section 2, subsection (j) (6), line 24.

Following: "political subdivisions"

Strike: ")"

Insert: "whose services are compensated by salary or wages"

6. Amend page 15, section 2, subsection (j) (9) (D), line 2.

Following: "age of"

Strike: "twenty-one (21)"

Insert: "eighteen (18)"

(Material in brackets denotes cancelled type.)

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 519, respectfully report as follows: That House Bill No. 519 be amended in the introduced bill as follows:

1. Amend page 19, section 8, line 18.

Following: "duty of"

Strike: "each state attorney or"

Insert: "the department or the"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 560, respectfully report as follows: That House Bill No. 560 be amended in the introduced bill as follows:

1. Amend page 2, section 1, following line 10.

Insert: a new subsection (1) (f) as follows:

"(f) five (5) days per month for those inmates who are enrolled in any self-help group activity."

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 509, respectfully report as follows: That House Bill No. 509 be amended in the introduced bill as follows:

1. Amend page 4, section 2, subsection (2), lines 9, 10, and 11.

Following: "the board."

Strike: "It shall evaluate and approve courses for affiliation of student nurses and other courses in nursing or nursing care."

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 592, respectfully report as follows: That House Bill No. 592 be amended in the introduced bill as follows:

1. Amend page 3, section 4, subsection (4) (a), line 9.

Following: "finnish"

Insert: "or sauna"

2. Amend page 3, section 4, subsection (4) (c), line 11.

Strike: this subsection (4) (c) in its entirety and renumber all subsequent subsections.

3. Amend page 7, section 8, line 22.

Following: "lewd"

Strike: ", or dissolute"

4. Amend page 7, section 8, line 23.

Following: "drunken"

Strike: "or boisterous"

5. Amend page 7, following line 24.

Insert: a new section 9 that reads as follows and renumber all subsequent sections:

"Section 9. Certain practices by attendants prohibited. The operator of a public massage parlor or public bathhouse licensed under this act may not direct or authorize an attendant in his employ to:

(1) provide any services to a customer except on the premises of the massage parlor or bathhouse;

(2) enter or remain in any room on the premises which is occupied by a nude person; or

(3) wear any uniform or costume which is not made of an opaque material, or which exposes any flesh of the wearer other than that on the head, neck, arms, and hands."

6. Amend page 10, section 11, subsection (5), line 1.

Strike: this subsection (5) in its entirety.

7. Amend page 11, following line 9.

Insert: a new section 18 to read as follows:

"Section 18. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and

Safety, having had under consideration House Bill No. 556, respectfully report as follows: That House Bill No. 556 be amended in the introduced bill as follows:

1. Amend page 1, section 2, line 15.

Following: "laboratory"

Strike: "bureau"

2. Amend page 1, section 2, line 16.

Strike: "laboratory division of the"

3. Amend page 1, section 2, lines 16 through 20.

Following: "department."

Strike: "The chief of the bureau shall receive compensation as determined by the director, and he shall be directly responsible to the administrator of the division for all activities of the laboratory."

4. Amend page 2, section 5, lines 10 through 16.

Strike: this section 5 in its entirety and renumber the subsequent sections.

5. Amend page 3, present section 8, lines 18 through 23.

Strike: this section 8 in its entirety.

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 577, respectfully report as follows: That House Bill No. 577 do not pass.

MENAHAN, Chairman

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 63 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fishbaugh, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kvaalen, Lester, Lory, Luebeck, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Sheldon, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 68.

Noes: None.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: R. Baeth, Brand, Conroy, Day, Ellerd, Fagg, Finley, Gerke, Hager, Holmes, Huennekens, Kropp, Kummerfeldt, Lien, Lynch, McFadden, Quilici, Robbins, Seifert, Sivertsen, Yardley. Total 21.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 459 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day,

Driscoll, Dussault, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kimble, Kvaalen, Lester, Lory, Luebeck, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Rasmussen, Richards, Schye, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Vincent, Wolfe, Wyrick, Mr. Speaker. Total 67.

Noes: Magone, Wood. Total 2.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: C. R. Anderson, R. Baeth, Brand, Ellerd, Fagg, Gerke, Hager, Kanduch, Kropp, Kummerfeldt, Lien, Lynch, McFadden, O'Connell, Quilici, Robbins, Seifert, Sivertsen, Williams, Yardley. Total 20.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 318 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kvaalen, Lester, Lory, Luebeck, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Tropila, Vincent, Wolfe, Wyrick, Mr. Speaker. Total 64.

Noes: James Moore, Sloan. Total 2.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: C. R. Anderson, R. Baeth, Bradley, Brand, Ellerd, Fagg, Gerke, Hager, Helmbrecht, Huennekens, Johnson, Kropp, Kummerfeldt, Lien, Lynch, McFadden, Quilici, Robbins, Seifert, Thomas, Williams, Wood, Yardley. Total 23.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 60 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Day, Ellis, Ellison, Finley, Fishbaugh, Gunderson, Guthrie, Gwynn, Halvorson, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kimble, Kvaalen, Lester, Luebeck, Manuel, Marks, Menahan, Mercer, James Moore, O'Connell, Schye, Sivertsen, Smith, Staigmiller, Stoltz, Tropila, Wood, Wyrick, Mr. Speaker. Total 43.

Noes: Bardanouve, Bradley, Dassinger, Driscoll, Dussault, Fabrega, Gilligan, Harper, Herlevi, Holmes, Johnson, Kemmis, Lory, Magone, Meloy, Jack Moore, Mular, Murphy, Richards, Shelden, Sloan, South, Vincent. Total 23.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: C. R. Anderson, R. Baeth, Brand, Ellerd, Fagg, Gerke, Hager, Helmbrecht, Huennekens, Kropp, Kummerfeldt, Lien, Lynch, McFadden, Palmer, Quilici, Rasmussen, Robbins, Seifert, Thomas, Williams, Wolfe, Yardley. Total 23.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 39 was adopted by the following vote:

Ayes: Aageson, C. R., Anderson, J. Anderson, Asher, W. Baeth, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Dussault, Fabrega, Finley, Fishbaugh, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kimble, Kvaalen, Lester, Luebeck, Meloy, Mercer, James Moore, Mular, Murphy, Palmer, Rasmussen, Richards, Schye, Seifert, Shelden, Sivertsen, Sloan, Staigmiller, Stoltz, Tropila, Vincent, Wolfe. Total 50.

Noes: Babcock, Bardanouve, Barrett, Bertelsen, Driscoll, Ellis, Ellison, Holmes, Kanduch, Lory, Magone, Manuel, Marks, Menahan, Jack Moore, O'Connell, Smith, South, Wood, Wyrick. Total 20.

Excused: Federico, Fleming, Gould, Hageman, Kendall, Lockrem, Lund, Scully, Teague, Travis, Underdal. Total 11.

Absent or not voting: R. Baeth, Brand, Ellerd, Fagg, Gerke, Hager, Helmbrecht, Huennekens, Kropp, Kummerfeldt, Lien, Lynch, McFadden, Quilici, Robbins, Thomas, Williams, Yardley, Mr. Speaker. Total 19.

REPORTS OF SELECT COMMITTEES

February 22, 1975

Mr. Speaker: We your Select Committee on Gambling, having had under consideration House Bill No. 677, respectfully report as follows: That House Bill No. 677 be amended in the introduced bill as follows:

1. Amend page 9, section 14, lines 6 through 9.

Following: "by the"

Strike: "direct proportion that the population of each county, city and town bears to the total population of all counties, and incorporated cities and towns as shown in the latest federal census"

Insert: "volume of sales of lottery tickets sold in the area of jurisdiction of that local government"

2. Amend page 10, following line 22.

Insert: new subsection (11) to read as follows:

"(11) The price of a lottery ticket shall not exceed one dollar (\$1)."

3. Amend page 12, following line 2.

Insert: a new section 22 to read as follows:

"Section 22. Nonapplicability of present statutes. The provisions of Title 94, chapter 8, part 3, do not apply to a lottery set up under this act."

Be amended without recommendation.

YARDLEY, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Select Committee on Gambling, having had under consideration House Bill No. 660, respectfully report as follows: That House Bill No. 660 be amended in the introduced bill as follows:

1. Amend page 3, section 3, line 20.

Following: "board"

Insert: "—allocation"

2. Amend page 3, section 3, line 22.

Following: "members."

Insert: "The board is allocated to the department of revenue for administrative purposes only as provided in section 82A-108, R.C.M. 1947."

3. Amend page 4, section 5, subsection (2), lines 16 and 17.

Strike: "The governor designates the member to serve as chairman of the board."

Insert: "The board shall select a chairman from its own membership annually."

4. Amend page 13, section 18, line 14.

Following: "License fees"

Insert: "—state and local"

5. Amend page 13, section 18.

Following: line 18.

Insert: "(3) In addition to license fees required in subsections (1) and (2) of this section, each incorporated city or town where slot machines have not been prohibited under section 25 of this act, may impose a license fee on each licensed slot machine in that local government not to exceed two hundred fifty dollars (\$250). If the licensed slot machine is located outside the corporate limits of the city or town, the respective county government may impose the fee."

6. Amend page 15, section 24, line 12.

Strike: "twenty-five percent (25%)"

Insert: "fifty percent (50%)"

7. Amend page 15, section 24, line 12.

Following: "to the"

Strike: "common school fund"

Insert: "school foundation program for reduction of local property tax"

8. Amend page 15, section 24, line 13.

Strike: "fifty percent (50%)"

Insert: "twenty-five percent (25%)"

9. Amend page 15, section 25, line 25.

Following: "names of"

Strike: "thirty"

Insert: "fifteen"

10. Amend page 16, section 25, line 1.

Following: "percent"

Strike: "(30%)"

Insert: "(15%)"

11. Amend page 16, following line 10.

Insert: a new section 26 to read as follows:

"Section 26. At least eighty percent (80%) return. All slot machines shall return to the playing public as winnings, at least eighty percent (80%) of the moneys deposited in them."

Renumber: subsequent sections.

12. Amend page 17, section 29, lines 15 through 18.

Strike: section 29 in its entirety.

Insert: "Section 29. Penalties. (1) A person who violates any provision of this act, except those enumerated in subsection (2) of this section, is guilty of a felony and upon conviction shall be punished by a fine of at least ten thousand dollars (\$10,000), but not to exceed one hundred

thousand dollars (\$100,000) or imprisonment in the state prison for a term not to exceed ten (10) years.

(2) A person who violates sections 15, 27 (2), or 26 (1) of this act is guilty of a misdemeanor and upon conviction shall be punished by a fine not less than five hundred dollars (\$500) or more than one thousand dollars (\$1000), or imprisoned in the county jail for a term not to exceed six (6) months, or both."

Renumber: subsequent section.

Be amended without recommendation.

YARDLEY, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Select Committee on Gambling, having had under consideration House Bill No. 682, respectfully report as follows: That House Bill No. 682 be amended in the introduced bill as follows:

1. Amend page 6, section 4, line 15.

Following: "general,"

Strike: "chairman,"

2. Amend page 6, section 4, line 17.

Following: "senate."

Insert: "The chairmanship shall rotate annually between the attorney general, the secretary of state, and one of the members appointed by the governor. The board shall decide the order of rotation at its first meeting."

3. Amend page 45, section 42, subsection (3) (c), line 21.

Following: "amount"

Insert: "of at least ten thousand dollars (\$10,000), but"

4. Amend page 62, following line 1.

Insert: a new section 45 to read as follows:

"Section 45. Gaming employees and related persons may not participate — penalty. (1) No gaming employee, or person related by marriage or blood to the owner or operator of a licensed gaming establishment, may participate in any device offered for play by the respective owner or operator.

(2) A person who is convicted of violation of this subsection (1) shall be fined at least five hundred dollars (\$500) but not more than one thousand dollars (\$1,000), or imprisoned in the county jail for not more than six (6) months, or both.

(3) The owner or operator of a licensed gaming establishment who permits a gaming employee, or a person related to the owner or operator by blood or marriage, to participate in play of a gaming device or game under his operation is guilty of a misdemeanor. Upon conviction under this subsection,

(a) the license of the offender is revoked for a period not less than two (2) years, and

(b) the offender shall pay a fine not less than one thousand dollars (\$1,000) or be imprisoned in the county jail for a term of one (1) year, or both."

Renumber: subsequent sections.

5. Amend page 64, section 48, subsection (3), line 7.
Following: "fine"
Insert: "of not less than five hundred dollars (\$500), but"

6. Amend page 66, section 52, lines 23 and 24.
Following: "signed by"
Strike: "one-third ($\frac{1}{3}$)"
Insert: "fifteen percent (15%)"

7. Amend page 69, section 60, lines 3 and 4.
following: "use."
Strike: "Twenty-five percent (25%)"
Insert: "Fifty percent (50%)"

8. Amend page 69, section 60, line 19.
Following: "section."
Strike: "All funds"
Insert: "Funds"

9. Amend page 69, section 60, line 21.
Following: "expended"
Insert: "equally"

10. Amend page 69, section 60, line 21.
Following: "for"
Insert: "alleviation of local property taxes and"

Be amended without recommendation.

YARDLEY, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Select Committee on Gambling, having had under consideration House Bill No. 639, respectfully report as follows: That House Bill No. 639 do not pass.

YARDLEY, Chairman

MESSAGES FROM THE OTHER HOUSE

February 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 362, providing for a constitutional amendment and requiring a two-thirds vote of the Legislature, was this day read three several times, and passed, and is herewith transmitted to the House with the following vote:

Yeas - 33
Nays - 15
Excused - 2

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bill was this day read three several times and concurred in as amended, titles and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 67, introduced by Manuel, Shelden, et al

Respectfully yours,

John N. Hanson,
Secretary of the Senate

February 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read three several times, and concurred in, title and history agreed to, and the said Joint Resolution is herewith returned to the House:

House Joint Resolution No. 14, introduced by Halvorson, Kendall, et al

Respectfully yours,

John N. Hanson,
Secretary of the Senate

MOTIONS

James Moore moved that House Bill No. 442 be rereferred from printing to the Committee on Rules.

Motion carried.

Fabrega moved that he receive permission to print 100 sheets of information in support of a bill he is sponsoring.

Motion carried.

Vincent moved that House Bill No. 411 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., February 24, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 24, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 22, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Bills Nos. 517, 561, 562, 563, House Joint Resolution No. 55.

QUILICI, Chairman

February 24, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do pass.

BARDANOUE, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 353, respectfully report as follows: That Senate Bill No. 353 be concurred in.

STAIGMILLER, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 65, respectfully report as follows: That House Joint Resolution No. 65 do pass.

STAIGMILLER, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 629, respectfully report as follows: That House Bill No. 629 do pass.

BRADLEY, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 522, respectfully report as follows: That House Bill No. 522 be amended in the introduced copy as follows:

1. Amend page 1, section 1, line 12.

Following: "by the"

Strike: "commission"

Insert: "board"

2. Amend page 1, section 1, line 13.

Following: "by the"

Strike: "commission"

Insert: "board"

3. Amend page 1, section 1, line 16.

Following: "lands"

Strike: "substantially"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 540, respectfully report as follows: That House Bill No. 540 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 5.

Following: "school"

Strike: "district"

Insert: "instructional program"

2. Amend page 1, following line 9.

Strike: everything after the enacting clause, through and including page 4, line 8.

Insert: "Section 1. There shall be an instructional program for the inmates at the Montana state prison that provides for (1) an approved vocational education program,

(2) academic courses for a high school instructional program that provides high school credits leading to a high school diploma, and

(3) an adult basic education program.

The administrator for the high school instructional program shall have a class 3 administrative certificate as defined in section 75-6006.

Teachers in the high school instructional program shall be certified and paid at the same rate as teachers in neighboring school districts.

The prison may contract with any accredited high school in the state of Montana for courses for credit that will lead to a high school diploma."

And as amended, do pass.

STOLTZ, Vice-Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 667, respectfully report as follows: That House Bill No. 667 be amended in the introduced copy as follows:

1. Amend pages 4 and 5, section 5, subsection (2), lines 18 through 25 on page 4, and lines 1 through 3 on page 5.

Strike: this material in its entirety.

2. Amend page 7, following line 14.

Insert: a new section 9 to read as follows:

"Section 9. Conversion facilities. This act does not apply to applications to mine coal or lignite for use by a facility for which a certificate of environmental compatibility and public need is granted pursuant to the Montana Utility Siting Act of 1973."

Renumber: subsequent sections.

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 665, respectfully report as follows: That House Bill No. 665 be amended in the introduced bill as follows:

1. Amend page 1, title, line 8.

Following: "1947"

Insert: "; and repealing section 89-605, R.C.M. 1947"

2. Amend page 2, following line 9.

Insert: a new section 3 to read as follows:

"Section 3. Section 89-605, R.C.M. 1947, is repealed."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 34, respectfully report as follows: That House Joint Resolution No. 34 do not pass.

STOLTZ, Vice-Chairman

Objection raised by Holmes on the adverse committee report on House Bill No. 639. Referred to Second Reading.

Objection raised by Sivertsen on the adverse committee report on House Bill No. 651. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

February 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed,

title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 202, introduced by Towe, Fasbender, Regan, et al

Senate Bill No. 203, introduced by Towe, Colberg, Norman

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 236, introduced by Norman, Flynn

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 233, introduced by Watt (by request of Highway Department)

Senate Bill No. 39, introduced by Norman, Brown (by request of Health and Environmental Sciences)

Senate Bill No. 217, introduced by Norman (by request of Department of Social and Rehabilitation Services)

Senate Bill No. 224, introduced by Thiessen

Senate Bill No. 229, introduced by Hazelbaker, Dunkle, Drake

Senate Bill No. 248, introduced by Hazelbaker, Regan

Senate Bill No. 308, introduced by Mathers, Turnage

Senate Bill No. 319, introduced by Kolstad, Aber, Nelson

Senate Bill No. 323, introduced by Lee (by request of Department of Social and Rehabilitation Services)

Senate Bill No. 328, introduced by Healy, Mehrens, Lee

Senate Bill No. 329, introduced by Colberg, Norman, Seibel

Senate Bill No. 330, introduced by Colberg, Norman, Seibel

Senate Bill No. 385, introduced by Blaylock (by request)

Senate Bill No. 397, introduced by Murphy (by request)

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Lynch moved that the House reconsider its action of the previous legislative day in failing to pass House Bill No. 632 on Second Reading. Lynch requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Richards, Robbins, Scully, Shelden, Sloan, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 73.

Noes: Asher, Barrett, Ellerd, Ellison, Gunderson, Guthrie, Hageman, Hager, Hubing, Johnston, Kropp, Lockrem, Marks, Mercer, Palmer, Rasmussen, Seifert, Sivertsen, Smith, Thomas, Wood, Wyrick. Total 22.

Excused: None.

Absent or not voting: Kvaalen, Manuel, Schye, South, Underdal. Total 5.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 697, introduced by Bertelsen, Magone, W. Baeth, Finley: A bill for an act entitled: "An act appropriating four hundred thousand dollars to the Department of Natural Resources and Conservation for the employment of cooperative foresters." Referred to Committee on Appropriations.

Senate Bill No. 210, introduced by Conover, Foster: A bill for an act entitled: "An act to amend Section 3-208, R.C.M. 1947, raising the handling and storage charges for grain public warehousemen collect; and amending provisions relating to charges for cleaning, storage, and charge reductions." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 216, introduced by Norman: A bill for an act entitled: "An act to authorize the Department of Social and Rehabilitation Services to offer protective services to aged persons or disabled adults in need of such services." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 295, introduced by Turnage, Mathers: A bill for an act entitled: "An act to provide that payment of taxes on net proceeds of mines and royalty assessments shall be paid in accordance with the payment schedule provided for general property taxes; amending Section 84-5409, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 338, introduced by Roberts (by request of Department

of Natural Resources): A bill for an act entitled: "An act to amend Section 89-125, R.C.M. 1947, to clearly authorize the Department of Natural Resources and Conservation to acquire water for sale, rent, or distribution for industrial uses and at such rates and under such conditions as it prescribes; and providing for an immediate effective date." Referred to Committee on Natural Resources.

Senate Bill No. 350, introduced by Lynch: A bill for an act entitled: "An act to amend Section 50-1216, R.C.M. 1947; to allow certain parties to participate in proceedings conducted pursuant to the reclamation of mining lands act." Referred to Committee on Natural Resources.

Senate Bill No. 355, introduced by Galt, Story: A bill for an act entitled: "An act to amend Section 23-3003, R.C.M. 1947, pertaining to deputy registrars by requiring instruction in registration for notaries registering voters; and deleting the requirement of taxpaying status for deputy registrars." Referred to Committee on State Administration.

Senate Bill No. 380, introduced by Romney, Cetrone, Blaylock: A bill for an act entitled: "An act to establish the Montana Travel Control Administration and provide for its powers and duties." Referred to Committee on Highways and Transportation.

Senate Bill No. 362, introduced by Lynch, Devine, Rosell, McOmber: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article XIV, Section 8 of the Montana Constitution to provide that a bill to refer a constitutional amendment to the people by the legislature requires a two-thirds approval of each House of the Legislature rather than two-thirds of all the members of the Legislature." Referred to Committee on Judiciary.

Senate Bill No. 39, introduced by Norman, Brown (by request of Health and Environmental Sciences): A bill for an act entitled: "An act to amend Section 69-3911, R.C.M. 1947, by providing methods for obtaining permits from the State Department of Health and Environmental Sciences for the construction, installation, alteration, or use of equipment or facilities which directly or indirectly contributes to air pollution or which contributes to the abatement of air pollution." Referred to Committee on Natural Resources.

Senate Bill No. 236, introduced by Norman, Flynn: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, to provide a fee increase in the resident and nonresident hunting licenses; to change the Class B-2 nonresident big game license to Class B-2 nonresident combination bird and fish license and make it a prerequisite to purchase hunting tags; to provide for classification of nonresident elk and deer tags; to limit the total number of nonresident elk tags sold in a license year; to include the nonresident conservation license as part of the Class B-2 license and the resident conservation license as part of the Class AAA license; to give the commission authority to limit the number of licenses sold in designated hunting districts; to provide a fee for special elk and deer drawings; to provide for a special nongame certificate; and to provide a delayed effective date." Referred to Committee on Fish and Game.

Senate Bill No. 233, introduced by Watt (by request of Highway Department): A bill for an act entitled: "An act to impose a tax on the use of special fuel and license tax on the privilege of engaging in and carrying on business of distributing gasoline and providing for certification that such tax is necessary." Referred to Committee on Taxation.

Senate Bill No. 217, introduced by Norman (by request of Department of Social and Rehabilitation Services): A bill for an act entitled: "An act

to authorize the Department of Social and Rehabilitation Services to license and supervise adult foster family care homes for three or fewer aged persons or disabled adults." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 224, introduced by Thiessen: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments, and other obligations, however described, and providing that this act may be cited as 'The 1975 Bond Validating Act'; and providing an effective date." Referred to Committee on Local Government.

Senate Bill No. 229, introduced by Hazelbaker, Dunkle, Drake, Turnage, Greely, Mehrens: A bill for an act entitled: "An act amending Section 11-1804, R.C.M. 1947, by requiring police commissions in cities of the third class and towns; and repealing Section 11-1804.1, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 248, introduced by Hazelbaker, Regan: A bill for an act entitled: "An act to amend Section 11-1914, R.C.M. 1947, to provide that trustees of fire department relief associations in third class cities may continue to invest their surplus funds if they yield within one percent of the yield on investments of public retirement funds." Referred to Committee on Local Government.

Senate Bill No. 308, introduced by Mathers, Turnage: A bill for an act entitled: "An act amending Section 84-2202, R.C.M. 1947, to provide that oil production royalty interests are required to share the burden of the oil producers' license tax on a pro rata basis." Referred to Committee on Taxation.

Senate Bill No. 319, introduced by Kolstad, Nelson, Aber: A bill for an act entitled: "An act amending Section 60-145, R.C.M. 1947, to provide that the privilege and license tax on oil and gas producers shall be due at the time the oil and gas is marketed." Referred to Committee on Taxation.

Senate Bill No. 323, introduced by Lee (by request of Department of Social and Rehabilitation Services): A bill for an act entitled: "An act to require County Welfare Departments to administer food stamp programs and social services programs as may be directed by the Department of Social and Rehabilitation Services; amending Section 71-221, R.C.M. 1947; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 328, introduced by Healy, Mehrens, Lee: A bill for an act entitled: "An act to permit volunteer firemen or dissolved fire companies in unincorporated areas to be eligible for pension benefits for service prior to July 1, 1965; amending Section 11-2023, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 329, introduced by Colberg, Norman, Seibel: A bill for an act entitled: "An act to amend Section 34-304, R.C.M. 1947, by providing a thirty dollar (\$30) license fee for a hotel, motel, tourist home, retirement home, or rooming house and participation in the fee by local Boards of Health; amending Section 34-305, R.C.M. 1947, by providing for hearing before the department; adopting an emergency enforcement remedy; providing for injunction; and providing a delayed effective date." Referred to Committee on Business and Industry.

Senate Bill No. 330, introduced by Colberg, Norman, Seibel: A bill for an act entitled: "An act to amend Section 69-5604, R.C.M. 1947, by providing a thirty dollar (\$30) license fee for tourist campgrounds and trailer courts and participation in the fee by local Boards of Health; amending Section 69-5606, R.C.M. 1947, by providing the procedure for cancellation or denial of a tourist campground or trailer court license; amending Section 69-5607, R.C.M. 1947, by providing for increased penalties on second and third convictions; adopting an emergency enforcement remedy; providing for injunction; and providing a delayed effective date." Referred to Committee on Business and Industry.

Senate Bill No. 385, introduced by Blaylock (by request): A bill for an act entitled: "An act amending Sections 92-116.1, 92-902, and 92-1005, R.C.M. 1947, by removing specific statutory assessment amounts for administrative costs against self-insurers and private insurers under the Workmen's Compensation Act and granting to the Division of Workmen's Compensation the authority to assess all Plan No. 1 employers and insurers an assessment based on an equitable formula." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 397, introduced by Murphy (by request): A bill for an act entitled: "An act to amend Sections 26-904, 26-906, 26-915, 26-916, 26-918, 26-919 and 26-920, R.C.M. 1947, relating to the licensing and regulation of outfitting and guiding of hunting and fishing parties within the state of Montana." Referred to Committee on Fish and Game.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 120 passed by the following vote:

Ayes: Ageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnston, Kendall, Kimble, Kropp, Kummerfeldt, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 74.

Noes: R. Baeth, W. Baeth, Bengtson, Brand, Finley, Fishbaugh, Gunderson, Hageman, Hubing, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Lester, Magone, Murphy, Shelden, Smith, Staigmiller, Stoltz, Wyrick. Total 22.

Excused: None.

Absent or not voting: Bardanoue, Kvaalen, South, Travis. Total 4.

House Bill No. 372 passed by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan,

Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Brand. Total 1.

Excused: None.

Absent or not voting: Bardanouve, Huennekens, Kendall, Kvaalen, Lynch, South. Total 6.

House Bill No. 389 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Brand, Dassinger. Total 2.

Excused: None.

Absent or not voting: Bardanouve, Ellerd, Huennekens, Kvaalen, Lynch, South. Total 6.

House Bill No. 364 passed by the following vote:

Ayes: W. Baeth, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Sivertsen, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe. Total 64.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Barrett, Bradley, Ellison, Fagg, Guthrie, Gwynn, Hager, Helmbrecht, Kemmis, Lockrem, Marks, Mercer, Jack Moore, James Moore, Mular, O'Connell, Schye, Seifert, Sloan, Smith, Tropila, Underdal, Wood, Wyrick, Yardley, Mr. Speaker. Total 32.

Paired: Meloy, Aye; Yardley, No.

Excused: None.

Absent or not voting: Bardanouve, Kvaalen, Lynch, Shelden. Total 4.

House Bill No. 404 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey,

Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Bradley, Harper, Kemmis, Sloan, Smith, Vincent. Total 6.

Excused: None.

Absent or not voting: Kvaalen, Lynch, Meloy. Total 3.

House Bill No. 434 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Guthrie, Palmer. Total 2.

Excused: None.

Absent or not voting: Driscoll, Kvaalen, Lynch. Total 3.

House Bill No. 443 passed by the following vote:

Ayes: C.R. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: Aageson, J. Anderson, Babcock, Barrett, Casey, Guthrie, Hageman, Hager, Hubing, Kropp, Manuel, Marks, Mercer, Sivertsen, Smith, Wood, Wyrick. Total 17.

Excused: None.

Absent: Kvaalen, Lynch. Total 2.

House Bill No. 557 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Brand, Conroy. Total 2.

Excused: None.

Absent or not voting: Fishbaugh, Hubing, Lynch. Total 3.

House Bill No. 648 passed by the following vote:

Ayes: C.R. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Driscoll, Dussault, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Casey, Conroy, Dassinger, Ellerd, Ellis, Ellison, Guthrie, Gwynn, Hageman, Hager, Hubing, Jacobsen, Kropp, Kummerfeldt, Kvaalen, Lien, Lund, Marks, Mercer, Robbins, Seifert, Sivertsen, Smith, Staigmiller, Wood, Wyrick. Total 32.

Excused: None.

Absent or not voting: Day, Schye, Shelden. Total 3.

House Joint Resolution No. 27 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 79.

Noes: C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Ellerd, Ellison, Hubing, Kropp, Lockrem, Mercer, Jack Moore, Seifert, Smith, Wood, Wyrick. Total 18.

Excused: None.

Absent or not voting: Guthrie, Lynch, Schye. Total 3.

House Joint Resolution No. 54 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 92.

Noes: Brand, Kvaalen, Lockrem, Mercer, Seifert, Wyrick. Total 6.

Excused: None.

Absent or not voting: Bardanouve, Lynch. Total 2.

House Joint Resolution No. 58 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: J. Anderson, Conroy, Guthrie, Mercer, Smith, Wood. Total 6.

Excused: None.

Absent or not voting: Ellison, Lynch, Schye. Total 3.

House Bill No. 257 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Babcock, Barrett, Bertelsen, Ellerd, Guthrie, Hageman, Hager, Kropp, Kvaalen, Lien, Lockrem, Lund, Mercer, Seifert, Smith. Total 15.

Excused: None.

Absent or not voting: Day, Lynch. Total 2.

House Bill No. 293 passed by the following vote:

Ayes: Aageson, C.R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 78.

Noes: J. Anderson, Asher, Babcock, Barrett, Casey, Ellerd, Ellison, Guthrie, Hager, Hubing, Lockrem, Marks, Mercer, Schye, Seifert, Smith, Underdal, Wyrick. Total 18.

Excused: None.

Absent or not voting: Gerke, Gould, Kropp, Lynch. Total 4.

House Bill No. 451 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 82.

Noes: Asher, Babcock, Barrett, Ellerd, Guthrie, Hageman, Hager, Johnston, Kropp, Lockrem, Marks, Mercer, Schye, Seifert, Smith, Wyrick. Total 16.

Excused: None.

Absent or not voting: Ellison, Lynch. Total 2.

House Bill No. 452 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 78.

Noes: Asher, Babcock, Barrett, Ellerd, Ellison, Guthrie, Hageman, Hager, Hubing, Jacobsen, Kropp, Lockrem, Marks, Mercer, Rasmussen, Schye, Seifert, Smith, Wood, Wyrick. Total 20.

Excused: None.

Absent or not voting: Ellis, Lynch. Total 2.

House Bill No. 457 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr Speaker. Total 71.

Noes: C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Ellerd, Ellison, Guthrie, Hageman, Hager, Hubing, Jacobsen, Kropp, Lockrem, Lory, Manuel, Marks, Mercer, Jack Moore, Schye, Seifert, Smith, Underdal, Wood, Wyrick. Total 27.

Excused: None.

Absent or not voting: Finley, Lynch. Total 2.

House Bill No. 481 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Dassinger, Driscoll, Dussault, Fabrega, Fagg, Federico, Fleming, Gerke, Gilligan, Gunderson, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 57.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Bertelsen, Casey, Conroy, Day, Ellerd, Ellis, Ellison, Fishbaugh, Gould, Guthrie, Gwynn, Hageman, Hager, Hubing, Jacobsen, Kanduch, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lory, Lund, Manuel, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Sloan, Smith, Staigmilller, Underdal, Wood Wyrick. Total 42.

Excused: None.

Absent or not voting: Finley. Total 1.

Senate Bill No. 19 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Mr. Speaker. Total 71.

Noes: C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Brand, Casey, Ellerd, Ellis, Ellison, Gould, Guthrie, Hager, Hubing, Kropp, Kvaalen, Lockrem, Lund, Magone, Mercer, Schye, Seifert, Smith, Wolfe, Wood, Wyrick, Yardley. Total 28.

Excused: None.

Absent or not voting: Marks. Total 1.

MOTIONS

Brand moved that House Bill No. 223 be taken from Second Reading and be rereferred to the Committee on Labor and Employment Relations.

Motion carried.

Finley moved that House Bill No. 267 be placed immediately below House Bill No. 266 on Second Reading this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lund in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 24, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 173 do pass. (93-0)

That House Bill No. 239 do pass. (56-37)

That House Bill No. 348 be passed for the day.

That House Bill No. 360 do pass. (78-13)

That House Bill No. 445 do pass. (79-0)

That House Bill No. 476 be amended as follows:

1. Amend the title, page 1, line 5.

Following: "nonpayment of"

Insert: "tuition"

2. Amend page 1, section 1, line 12.

Following: "of"

Insert: "tuition"

3. Amend page 1, section 1, subsection (2), line 16.

Following: "least"

Strike: "one (1) year"

Insert: "ten (10) years"

4. Amend page 1, section 1, following subsection (3) (b), line 23.

Following: "by"

Strike: "the several units of the university system"

Insert: "a committee comprised of members of the Mexican-American community, to be appointed by the governor, and an equal number of

members to be appointed by the board of regents. Eligibility shall be based on financial need"

5. Amend page 2, following line 1.

Insert: new sections 2 and 3 to read as follows:

"Section 2. Limitations. (1) No more than ten (10) persons may receive a fee waiver under section 1 of this act in any school year.

(2) No person may receive the fee waiver for more than three (3) years.

Section 3. This act is repealed in fifteen (15) years, on July 1, 1990." (75-8)

And as amended, do not pass. (55-33)

That House Bill No. 458 do pass. (79-10)

That House Bill No. 507 do pass. (82-7)

That House Bill No. 555 do pass. (84-1)

That House Bill No. 98 do not pass. (62-32)

That House Bill No. 164 do pass. (88-1)

That House Bill No. 176 do pass. (82-5)

That House Bill No. 177 be amended as follows:

1. Amend page 39, section 16, lines 4 through 19.

Strike: subsection (2) in its entirety.

Insert: "(2) The board of county commissioners, city or town council or commission shall order a special local government primary election to be held February 8, 1977 and local government general election on April 5, 1977, for the purpose of electing local government officials." (84-0)

And as amended, do pass. (88-2)

That House Bill No. 179 do pass. (74-21)

That the Committee rise and report and beg leave to sit again.

LUND, Chairman

Report adopted.

COMMUNICATIONS AND PETITIONS

February 24, 1975

Mr. Edwin A. Smith
Chief Clerk
House of Representatives

Dear Mr. Smith:

I have this date appointed the following Representatives to serve on the Select Committee to Investigate the Practices of Beef Pricing in Montana:

Robert Harper, Chairman; Gail Stoltz, John Vincent, Howard Ellis, Lee Hubing.

Sincerely,

Pat McKittrick
Speaker of the House

REPORTS OF STANDING COMMITTEES

February 24, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 568, respectfully report as follows: That House Bill No. 568 be placed on Second Reading.

DRISCOLL, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 599, respectfully report as follows: That House Bill No. 599 do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 578, respectfully report as follows: That House Bill No. 578 do pass.

GERKE, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 35, respectfully report as follows: That House Joint Resolution No. 35 do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 133, respectfully report as follows: That Senate Bill No. 133 be concurred in.

GERKE, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 442, respectfully report as follows: That Committee Amendments to House Bill No. 442 are within the original content of the title and therefore should be considered for Second Reading.

DRISCOLL, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 642, respectfully report as follows: That House Bill No. 642 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 24.

Following: "heritage"

Insert: "and to ensure that the quality of existing public resources such as air, water, fish, wildlife and recreational opportunities are not significantly diminished by developments supported by this act"

2. Amend page 2, section 1, subsection (1), line 10.

Following: "developments"

Insert: "in the public interest"

3. Amend page 2, section 1, subsection (1), line 14.

Following: "funds."

Insert: "Renewable resource developments shall, whenever practicable, be multiple use projects, and shall not significantly diminish the quality of existing public resources such as air, water, fish, wildlife and recreational opportunities."

4. Amend page 3, section 3, line 17.

Following: "who"

Insert: ", without regard to their form of business organization"

5. Amend page 3, section 3, subsection (1), sub-subsection (b), line 23.

Following: "operations;"

Insert: "and"

6. Amend page 3, section 3, subsection (1), sub-subsection (c), line 24.

Following: "of"

Strike: "family"

7. Amend page 3, section 3, subsection (1), sub-subsection (c), line 25.

Following: "farms"

Insert: "or ranches"

8. Amend page 3, section 3, subsection (1), sub-subsection (c), line 25.

Following: line 25.

Insert: a new subsection (2) and renumber subsequent subsections.

"(2) The department shall solicit and consider in its evaluation of proposed projects the views of interested and affected departments, boards, agencies and other subdivisions of state and federal government and of other interested and affected persons."

9. Amend page 4, section 3, new subsection (3), line 5.

Following: "water,"

Insert: "fish, wildlife, recreational,"

10. Amend page 4, section 3, new subsection (6), lines 20 and 21.

Following: "rate"

Strike: "exceed five percent (5%) per year"

Insert: "be greater than one (1) percentage point less than the prevailing interest rate on the renewable resource development bonds provided for in this act"

11. Amend page 6, section 4, subsection (1), line 15.

Following: "government."

Insert: a new subsection (2) and renumber subsequent subsections.

"(2) The department shall solicit and consider in its evaluation of proposed projects the views of interested and affected departments, boards, agencies and other subdivisions of state and federal government and of other interested and affected persons."

12. Amend page 6, section 4, new subsection (4), line 23.

Following: "water"

Insert: ", fish, wildlife, recreational"

13. Amend page 7, section 5, subsection (1), line 14.

Following: "state."

Insert: a new subsection (2) and renumber subsequent subsections.

"(2) The department shall solicit and consider in its evaluation of proposed projects the views of interested and affected departments, boards, agencies and other subdivisions of state and federal government and of other interested and affected persons."

14. Amend page 7, section 5, subsection (3), line 22.

Following: "for."

Insert: a new subsection (4) as follows:

"(4) Both the loans provided for by this section and the grants provided for by section 4 of this act may be submitted to the governor and approved by the legislature as may be necessary to jointly finance any project."

15. Amend page 13, section 7, subsection (4), line 7.

Following: "money"

Insert: "that is deposited in the state general fund"

16. Amend page 13, section 8, subsection (2), line 24.

Following: "act."

Insert: "When sufficient funds have been accumulated in the clearance fund account from bond proceeds or as otherwise provided for in this act, three hundred seventy-four thousand, four hundred seventy-four dollars (\$374,474.00) shall be redeposited in the general fund."

17. Amend page 14, section 8, subsection (4), line 10.

Following: "Act."

Insert: a new subsection (5) as follows:

"(5) The general fund appropriation provided for by subsection (2) of this section as the initial funding for the programs provided for by this act shall be appropriated and used as follows for the biennium ending June 30, 1977:

	For Fiscal Year Ending 6/30/76	For Fiscal Year Ending 6/30/77
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION		
Administrative expenses from the earmarked revenue fund	\$103,490	\$102,534
	<hr/>	<hr/>
DEPARTMENT OF ADMINISTRATION		
Administrative expenses from the earmarked fund	30,000	30,950
	<hr/>	<hr/>
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION		
Engineering studies on expanded water storage on the Tongue River from the clearance fund account	82,500	

Engineering studies on water storage on the Powder River from the clearance fund account	25,000
Total	107,500"

18. Amend page 14, section 9, line 19.

Following: "program."

Insert: a new section 10 as follows:

"Section 10. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid application."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 22, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 619, respectfully report as follows: That House Bill No. 619 be amended in the introduced bill as follows:

1. Amend title, page 1, line 6.

Following: "surtax,"

Insert: "a roll-back tax,"

2. Amend page 1, section 2, line 21.

Following: "(3)"

Strike: "For these reasons, it"

Insert: "It"

3. Amend page 2, section 4, line 11.

Following: "all land"

Insert: "in any contiguous ownership of twenty (20) or more acres exclusive of five (5) acres of land designated by the department as being used for, or in connection with, a residence,"

4. Amend page 2, section 4, lines 17 through 19.

Following: "species."

Strike: "The department will designate which lands qualify as forest lands."

Insert: "Identification and designation of which lands qualify as forest lands shall be made by the department utilizing existing or future assessment role land classification information or as provided in section [12]."

5. Amend page 4, section 5, subsection (5), line 8.

Following: "harvested"

Strike: "between"

Insert: "after"

6. Amend page 4, section 5, subsection (5), lines 8 and 9.

Following: "1981"

Strike: "and December 31, 1981 inclusive"

7. Amend page 4, section 5, subsection (5), line 10.

Following: "(4%)"

Strike: “;”

Insert: “.”

8. Amend page 4, section 5, subsection (6), lines 11 through 15.

Strike: subsection (6) in its entirety.

9. Amend page 4, section 6, line 18.

Following: “year”

Insert: “on or before December 1,”

10. Amend page 5, section 6, subsection (2), line 19.

Following: “flood,”

Insert: “infestation,”

11. Amend page 6, section 6, subsection (3), lines 2 through 9.

Following: “(3)”

Strike: “The completed immediate harvest value tables shall be signed by the director or his designee in duplicate and authenticated by the official seal of the department. One (1) copy shall be delivered to the secretary of state, and the other copy shall be retained on file in the office of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.”

Insert: “A copy of immediate harvest value tables shall be furnished to anyone who submits a written request to the department.”

12. Amend page 6, section 7, lines 15 through 20.

Following: “(1)”

Strike: “Prior to the harvesting of any timber, all owners except those planning to harvest less than two hundred dollars (\$200) of timber for personal use in any quarter must notify the department of the intent to harvest and must secure from the department a yield tax collection number.”

Insert: “At least thirty (30) days prior to the harvesting of any timber, all owners must notify the department of their intent to harvest and must secure from the department a yield tax collection number.”

13. Amend page 9, section 8, subsection (3), line 7.

Following: “to”

Strike: “subsections (2) and (4)”

Insert: “subsection (2)”

14. Amend page 9, section 8, subsection (4), lines 20 through 25 and page 10, lines 1 through 5.

Strike: subsection (4) in its entirety.

Renumber: subsequent subsection.

15. Amend page 13, section 12, lines 6 and 7.

Strike: “Forest land tax. Forest land shall continue to be subject to ad valorem taxation.”

Insert: “Forest land classification, assessment, and tax. (1) Forest lands designated by the department shall continue to be subject to ad valorem taxation notwithstanding section 84-401, and shall be valued, assessed, and taxed with the value being based only on those indicia of value which such land has for forest use.

(2) In any year commencing with January 1, 1977, an owner of land whose intent is to utilize the land primarily for growing and harvesting timber and which land is not designated as forest land by the department, may request the department, in a manner and on a form to be prescribed by the department, for designation of such land as forest land. The application form shall be prepared by the department and made available to owners by the county appraiser, and shall include provisions for the following information:

- (a) a legal description of all land the applicant desires to be designated as forest land;
 - (b) a brief description of the timber on the land, or if the timber has been harvested, the applicant's plan for restocking;
 - (c) whether the land is subject to a lease, option, or other right which permits it to be used for any purpose which conflicts with growing and harvesting timber;
 - (d) a statement of the applicant's intent to utilize the land primarily for growing and harvesting timber; and
 - (e) all relevant information the department considers necessary.
- (3) The department shall notify the applicant of approval or disapproval within thirty (30) days of the date the application was filed. When the department disapproves an application, the reasons therefor shall be given the applicant in writing and the applicant has the right to appeal the decision.
- (4) Land classified as forest land is subject to an additional tax known as the 'roll-back tax' which tax is a lien upon the land and due and payable at the time of change of use. The word 'roll-back' means the period preceding the change in use of the land, not exceeding five (5) years, during which the land was valued, assessed, and taxed as forest land under the provisions of this act.
- (5) The department shall determine the amount of roll-back tax chargeable on forest land by ascertaining:
- (a) the full and fair value of the land under the valuation standards applicable to land in the county not designated as forest land;
 - (b) the amount of the land assessment for the period of the roll-back, by multiplying such full and fair market value by the number of years in the roll-back and by multiplying the product obtained by the assessment ratio in effect in the year in which the change in use of the land is made;
 - (c) the average mill levy applied in the taxing district in which the land is located by dividing the aggregate mill levy actually applied in each year of the roll-back by the number of years included in the roll-back; and
 - (d) the amount of the roll-back tax by multiplying the taxable value computed from the amount of assessment computed under (b) by the average mill levy computed under (c), less the amount of real property taxes actually paid during the period of the roll-back.
- (6) The assessment of roll-back taxes on former forest land, the attachment of the lien for such taxes, and the right of the owner or other interested party to review of any judgment of the department is governed by the general provisions of Title 84 for collection of property taxes. The roll-back collected shall be paid into the county treasury and paid by the treasurer to the various taxing units pro rata in accordance with the levies for the current year.
- (7) Designation and appraisal of land as forest land depends upon continuance of the use of the land primarily for growing and harvesting timber and not upon continuance of the same owner of title to the land."

16. Amend page 14, following line 19.

Insert: a new section 15 that reads as follows:

"Section 15. Rules — regulations — forms. The department may promulgate rules and prescribe forms it deems necessary to administer the provisions of this act."

Renumber: subsequent sections.

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 621, respectfully report as follows: That House Bill No. 621 be amended in the introduced bill as follows:

1. Amend page 1, title, line 7.

Following: "3-2906,"

Insert: "16-412, 16-2723, 25-226, 25-236, 25-401, 25-404"

2. Amend page 1, title, line 8.

Following: "43-218,"

Insert: "43-310,"

3. Amend page 4, section 1, subsection (1)(d), line 2.

Following: "exceeding"

Strike: "fifteen"

Insert: "eighteen"

4. Amend page 4, section 1, subsection (1)(d), line 2.

Following: "dollars"

Strike: "(\$15)"

Insert: "(\$18)"

5. Amend page 4, section 1, subsection (2)(d), line 20.

Following: "exceeding"

Strike: "twenty-seven"

Insert: "thirty-seven"

6. Amend page 4, section 1, subsection (2)(d), line 21.

Strike: "(\$27)"

Insert: "(\$37)"

7. Amend page 5, section 1, subsection (3), line 5.

Following: "travel"

Strike: "involved"

Insert: "involves"

8. Amend page 6, section 2, subsection (c), line 21.

Following: "allowance"

Insert: "if"

9. Amend page 7, section 2, subsection (2), lines 8 and 9.

Following: "and"

Strike: "[three dollars and fifty cents (\$3.50)]"

Insert: "five dollars (\$5)"

10. Amend page 8, section 3, subsection (2), line 5.

Following: "[nine]"

Strike: "twelve"

Insert: "three"

11. Amend page 8, section 3, subsection (2), line 6.

Following: "[9¢]"

Strike: "(12¢)"

Insert: "(3¢) less"

12. Amend page 8, section 3, subsection (2), line 6.

Following: "mile"

Strike: "shall be paid"

Insert: "than authorized by internal revenue service authorized rate"

13. Amend page 8, section 3, subsection (3), line 10.

Following: "used"

Strike: ", "

Insert: "."

14. Amend page 8, section 3, subsection (3), line 11.

Strike: "[twelve] fifteen cents [(12¢)] (15¢) per mile"

Insert: "A rate equal to the mileage allotment allowed by the United States internal revenue service for the next preceding year"

15. Amend page 8, section 3, subsection (3), line 12.

Following: "and"

Strike: "twelve"

Insert: "three"

16. Amend page 8, section 3, subsection (3), line 12.

Following: "cents"

Strike: "(12¢)"

Insert: "(3¢)"

17. Amend page 8, section 3, subsection (3), line 13.

Following: "mile"

Insert: "less"

18. Amend page 9, section 5, following line 25.

Insert: new sections to read as follows and renumber subsequent sections accordingly:

"Section 6. Section 16-912, R.C.M. 1947, is amended to read as follows:

'16-912. Compensation of members of board. (1) Each member of the board of county commissioners in counties of the first, second, third, and fourth class, shall receive an annual salary to be established by resolution of the board of county commissioners in an amount not to exceed the annual salary established in the schedule in section 25-605, R.C.M. 1947, for the clerk and recorder.

In addition, each member of the board of county commissioners in counties of the first, second, third and fourth class shall receive [twelve cents (\$.12) per mile] a mileage allowance as provided in section 59-801 for the distance necessarily traveled in going to and returning from the county seat and his place of residence each day that such trip is actually made, and while engaged in the performance of his official duties.

(2) Each member of the board of county commissioners in all other counties is entitled to a salary to be established by the board of county commissioners by resolution in an amount not to exceed thirty-five dollars (\$35) per day each day's attendance on the sessions of the board [twelve cents (\$.12) per mile] a mileage allowance as provided in section 59-801 for the distance necessarily traveled in going to and returning from the county seat and his place of residence, each day that such trip is actually made, provided, however, that any county commissioner whose place of residence is fifty (50) miles or more from the county

seat, as measured by the usual route of travel, may elect to receive mileage as provided in this section or, in lieu of mileage, a sum of ten dollars (\$10) per day for each day's attendance on sessions of the board as expenses, while engaged in the performance of his official duties, and no other compensation must be allowed.'

Section 7. Section 16-2723, R.C.M. 1947, is amended to read as follows:

'16-2723. Mileage and expense of sheriff. Sheriffs delivering prisoners at the state prison or mentally ill persons at the state hospital, shall receive actual expenses necessarily incurred in their transportation, which shall include the expenses of the sheriff in going and returning from such institution. They shall take vouchers for every item of expenses incurred by them in such transportation, the amount of which expenses, as shown by the said vouchers when served by said sheriff, shall be audited and allowed by the department of administration or by the board of county commissioners, as the case may be, and paid out of the same money and in the same manner as are other expense claims against the state or counties, and no other or further compensation shall be received by sheriffs for such expenses, provided that in determining the actual expense, if travel be by a privately owned vehicle, the mileage rate shall be allowed as herein provided. While in the discharge of his duties, both civil and criminal, the sheriff shall receive [twelve cents (\$.12) per mile for each and every mile actually and necessarily traveled; and for transporting any persons by order of court, except as hereinbefore provided, he shall receive twelve cents (\$.12) additional per mile, the same to be in full for transporting and dieting of such person during such transportation; provided that where more than one person is transported by the sheriff or when one or more papers are served on the same trip made for the transportation of one or more prisoners, but one mileage shall be charged] a mileage allowance as provided in section 59-801. The sheriff shall also be reimbursed for actual and necessarily incurred expenses for transporting, lodging and meals of person(s) ordered by the court as provided in section 59-538, 59-539 and 59-801. The county shall not be liable for, nor shall the board of county commissioners pay for any claim of the sheriff or other officer, for any other expense incurred in travel or for subsistence, in cases where mileage is allowed under this section; the fees for mileage named in this section being in full for all such traveling expenses in both civil and criminal work.'

Section 8. Section 25-226, R.C.M. 1947, is amended to read as follows:

'25-226. Fees of sheriff. (1) For the service of summons and complaint on each defendant, one dollar (\$1[.00]);

For levying and serving each writ of attachment of execution on real or personal property, one dollar (\$1[.00]);

For service of attachment on the body or order of arrest on each defendant, one dollar (\$1[.00]);

For serving a subpoena, twenty-five cents (25¢) for each witness summoned;

For serving writ of possession or restitution, two dollars (\$2[.00]);

For trial of the right of property or damages, including all services except mileage, three dollars (\$3[.00]);

For taking bond or undertaking in any case authorized by law, twenty cents (20¢) for each folio;

For advertising any property for sale on execution or under any judgment or order of sale, exclusive of cost of publication, one dollar (\$1[.00]);

(2) For the expense in taking and keeping possession of an preserving property under attachment, execution or other process, such sum as the court or judge may order, not to exceed the actual expense incurred, and no keeper must receive to exceed five dollars (\$5[.00]) per day and no keeper must be employed without an order of court, nor must he be so employed unless the property is of such character as to need the personal attention and supervision of a keeper. No property shall be placed in charge of a keeper if it can be safely and securely stored, or where there is no reasonable danger of loss.

(3) In addition to the fees above specified, the sheriff shall receive for each mile actually traveled, in serving any writ, process, order or other paper, including a warrant of arrest, or in conveying a person under arrest before a magistrate or to jail, only his actual expenses when such travel is made by railroad, and when travel is other than by railroad, he shall receive [eleven cents (11¢) per mile] a mileage allowance as provided in section 59-801 for each mile actually traveled by him both going and returning, and the actual expenses incurred by him in conveying a person under arrest before a magistrate or to jail, and he shall receive the same mileage and his actual expenses for the person conveyed or transported under order of court within the county, the same to be in full payment for transporting and dieting such persons during such transportation; provided that where more than one person is transported by the sheriff or when one or more papers are served on the same trip made for the transportation of one or more prisoners, but one (1) mileage shall be charged.

(4) Provided further, that this act shall not apply to the delivery of prisoners at the state prison or at the reform school, or insane persons to the state insane asylum, for which he shall receive the actual expense incurred as provided by section 16-2723 of this code. Nor shall this act apply to trips made for the return of fugitives apprehended and arrested outside the county for which the sheriff shall receive the actual necessary expenses incurred in going for and returning with such fugitive, provided that in determining the actual expense, if travel be by a privately owned vehicle, the mileage rate shall be allowed as herein provided. But no mileage must be allowed on an attachment, order of arrest, order for delivery of personal property, or any other order, notice or paper, when the same accompanies the summons, and the service thereof may be made at the time of the service of the summons, unless for the distance actually traveled beyond that required to serve the summons. When two (2) or more papers are served on the same person at the same time, or when any paper or papers are served on more than one (1) person on the same trip, but one (1) mileage must be allowed or charged, and in the service of subpoenas, but one (1) mileage must be charged when the persons named therein live in the same place or in the same direction, but mileage must be charged for the longest distance actually traveled. Any writ, order or other paper for service, must be received at any place in the county where a sheriff or a deputy is found, and mileage must be computed from such place, but if papers are delivered for service away from the county seat, all necessary copies thereof must be furnished for service. When two (2) or more officers travel in the same automobile in the discharge of any duty but one (1) mileage shall be allowed.'

Section 9. Section 25-236, R.C.M. 1947, is amended to read as follows:

'25-236. Fees of coroner. The coroner is entitled to receive and collect for his own use the following fees:

For each day or fraction of day engaged in making an investigation relative to a death, whether an inquest is later held or not, the sum of five dollars (\$5[.00]), provided that not more than one day's fees shall be charged for making an investigation in any one case, except in counties of the first, second and third class;

For each day or fraction of day engaged in holding an inquest, five dollars (\$5[.00]), provided that not more than two days' fees shall be charged for holding an inquest in any one case;

For subpoenaing each witness, including copy of subpoena, thirty cents (30¢);

For each oath administered, five cents (5¢);

For making transcript of testimony, per folio, fifteen cents (15¢);

For each mile actually traveled in the performance of any duty, [seven cents (7¢)] a mileage allowance as provided in section 59-801;

For filing papers, each five cents (5¢);

The total amount of fees allowed by the board of county commissioners to a coroner, except when acting as sheriff, must not exceed twenty-one hundred dollars (\$2100[.00]) in any one year, including compensation paid all clerks, stenographers and other clerical assistants employed by him, provided the coroner in a county having a population of forty-five thousand (45,000) or more, according to the latest federal census enumeration, may, at the discretion of the county commissioners receive a salary of not to exceed three thousand seven hundred fifty dollars (\$3,750[.00]) per year and mileage as above provided in lieu of all fees above-mentioned, and all clerical and stenographic help except as provided in section 16-3408, shall be included in such salary. Said population to be based on the latest United States census.

A justice of the peace, acting as coroner, is allowed the same fees as the coroner, and no more.

If acting as sheriff, the coroner is allowed the same fees as sheriff or constable for like services.'

Section 10. Section 25-401, R.C.M. 1947, is amended to read as follows:

'25-401. Jurors' fees. Grand and trial jurors shall receive twelve dollars (\$12) per day for attendance before any court of record and [eight cents (8¢) per mile] a mileage allowance as provided in section 59-801 each way for traveling from and to their residence and county seat. Any juror who is excused from attendance upon his own motion on the first day of his appearance in obedience to notice, or who has been summoned as a special juror and not sworn in the trial of the case, in the discretion of the court, may receive per diem and mileage.'

Section 11. Section 25-404, R.C.M. 1947, is amended to read as follows:

'25-404. Witnesses' fees. For attending in any civil or criminal action or proceeding before any court of record, referee, or officer authorized to take depositions, or commissioners to assess damages or otherwise, for each day, ten dollars (\$10). For mileage in traveling to the place of trial or hearing, each way, for each mile, [eight cents (\$.08)] a mile-

age allowance as provided in section 59-801 provided, however, that no officer of the United States, the state of Montana, or of any county, incorporated city or town within the limits of the state of Montana shall receive any per diem when testifying in a criminal proceedings, and that no witness shall receive fees in any more than one criminal case on the same day."

19. Amend page 19, new section 19, following line 2.

Insert: a new section to read as follows and renumber all subsequent sections accordingly:

"Section 20. Section 43-310, R.C.M. 1947, is amended to read as follows:

'43-310. Per diem, mileage and expenses of members. (1) Legislators are entitled to compensation of twenty dollars (\$20) per legislative day, payable weekly, during a session of the legislature, and [twelve cents (12¢) per mile] a mileage allowance as provided in section 59-801 for each mile of travel to and from their residences and the place of holding the session, by the shortest regularly traveled automobile route.

(2) Members are also entitled to thirty-three dollars (\$33) per day, seven (7) days a week, payable weekly during a legislative session, as reimbursement for expenses incurred in attending the session. Expense payments shall stop when the legislature recesses for more than three (3) days and shall resume when the legislature reconvenes.

(3) While going to, attending, and returning from legislative standing committee meetings and necessary committee business authorized by the chairman of the legislative council during the legislative interim, legislators are entitled to:

(a) a mileage allowance [of twelve cents (12¢) per mile] as provided in section 59-801 for each mile of travel,

(b) actual expenses, and

(c) compensation of twenty dollars (\$20) per day.

(4) Legislators are also entitled to a mileage allowance [of twelve cents (12¢) per mile] as provided in section 59-801 for travel to and from their respective pre-session caucus meeting."

20. Amend page 24, new section 31, line 19.

Following: "59-801,"

Strike: "[and]"

Insert: "and"

21. Amend page 55, new section 60, line 3.

Following: "59-539"

Insert: "and"

22. Amend page 56, new section 62, line 8.

Following: "59-539"

Insert: "and"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration House Joint Resolution No. 62, respectfully report as follows: That House Joint Resolution No. 62 be amended in the introduced resolution as follows:

1. Amend page 1, line 23.

Following: "of"

Insert: "energy conservation and/or"

2. Amend page 2, line 12.

Following: "to"

Strike: "the Montana congressional delegation"

Insert: "every member of the United States Congress"

And as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 602, respectfully report as follows: That House Bill No. 602 be amended in the introduced bill as follows:

1. Amend title, page 1, lines 4, 5 and 6.

Following: "An act"

Strike: "to transfer the Human Rights Commission to the Department of Intergovernmental Relations;"

2. Amend title, page 1, line 9.

Following: "amending Section"

Strike: "64-305 and repealing Section"

3. Amend page 1, line 12.

Following: the enacting clause.

Strike: everything after the enacting clause.

Insert: "Section 82A-1015, R.C.M. 1947, is amended to read as follows:

'82A-1015. Commission for human rights. (1) There is a commission for human rights.

(2) The commission consists of five (5) members appointed by the governor.

(3) The commission is designated as a quasi-judicial board for the purposes of section 82A-112.

(4) The commission is allocated to the department of labor and industry for administrative purposes only as provided in section 82A-108[.], except that the commission may hire its own personnel, may seek and receive private and federal funds in its own name, and may determine all matters of policy concerning the use of its budget. Section 82A-108(2)(d) shall not apply for purposes of this section."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 594, respectfully report as follows: That House Bill No. 594 be amended in the introduced bill as follows:

1. Amend title, page 1, line 4.

Following: "adopt"

Strike: "the model"

Insert: "a"

2. Amend title, page 1, line 5.

Following: "law"

Insert: "authorizing life insurance companies to establish separate accounts to provide for variable life insurance policies and variable annuity contracts"

3. Amend page 2, section 2, subsection (4), line 16.

Following: "commissioner"

Insert: "of insurance"

4. Amend page 3, section 2, subsection (6), line 23.

Following: "by the commissioner"

Insert: "of insurance"

5. Amend page 3, section 2, subsection (6), line 23.

Following: "The commissioner"

Insert: "of insurance"

6. Amend page 4, section 2, subsection (7), line 1.

Following: "company"

Strike: "considers it necessary"

Insert: "is required"

7. Amend page 4, section 2, subsection (7), lines 5 and 6.

Following: "trust,"

Strike: "may"

Insert: "shall"

8. Amend page 5, section 4, subsection (1), line 6.

Following: "commissioner"

Insert: "of insurance"

9. Amend page 5, section 4, subsection (2), line 22.

Following: "commissioner"

Insert: "of insurance"

10. Amend page 5, section 5, line 25.

Following: "commissioner"

Insert: "of insurance"

11. Amend page 6, section 5, line 1.

Following: "commissioner"

Insert: "of insurance"

12. Amend page 6, section 5, line 3.

Following: "contracts"

Insert: "pursuant to Title 40, R.C.M. 1947,"

13. Amend page 6, section 6, lines 5 through 21.

Following: "Section 6."

Strike: all of section 6 in its entirety.

Insert: "Variable policies and contracts to meet insurance requirements.

Except for sections 40-3819 and 40-3824, for variable annuity contracts, and sections 40-3804, 40-3809, 40-3811, 40-3812 and 40-3831, for variable life insurance policies and as provided in this act, all pertinent provisions of Title 40, R.C.M. 1947, and other laws relating to insurance apply to separate accounts and their related policies and contracts. Any

individual variable life insurance policy and annuity contract delivered or issued for delivery in this state shall contain grace and reinstatement provisions appropriate for the policy or contract. An individual variable life insurance policy shall contain a non-forfeiture provision appropriate for the policy. The reserve liability for variable policies and contracts shall be established in accordance with actuarial procedures that recognize the variable nature of the benefits provided and mortality guarantees."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 586, respectfully report as follows: That House Bill No. 586 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), line 12.

Following: "possesses"

Strike: "one (1) pound"

Insert: "with intent to sell one kilogram"

2. Amend page 1, section 1, subsection (2), line 16.

Following: "term of"

Strike: "not less than one (1) year and"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 543, respectfully report as follows: That House Bill No. 543 do not pass.

HUENNEKENS, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 68 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Johnson, Johnston, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Quilici, Rasmussen, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Brand, Federico, Kemmis, Richards, Teague. Total 5.

Excused: None.

Absent or not voting: J. Anderson, Bradley, Day, Dussault, Gerke, Gould, Huennekens, Jacobsen, Kimble, Kvaalen, Lien, Lynch, James Moore, Mular, Palmer, Robbins, Sivertsen, Thomas, Travis. Total 19.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 477 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sloan, Smith, Staigmiller, Stoltz, Tropila, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Brand, Teague. Total 2.

Excused: None.

Absent or not voting: J. Anderson, Bradley, Day, Dussault, Federico, Gould, Hageman, Huennekens, Kimble, Kvaalen, Lien, Lynch, James Moore, Mular, Palmer, Robbins, Sivertsen, South, Thomas, Travis, Wolfe, Wood. Total 22.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 406 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lund, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Schye, Scully, Seifert, Shelden, Smith, South, Staigmiller, Stoltz, Tropila, Underdal, Williams, Wyrick, Mr. Speaker. Total 75.

Noes: Federico, Holmes, McFadden, Richards, Sloan, Teague, Vincent. Total 7.

Excused: None.

Absent or not voting: J. Anderson, Day, Dussault, Gould, Huennekens, Johnston, Kvaalen, Lien, Lynch, Mular, Palmer, Robbins, Sivertsen, Thomas, Travis, Wolfe, Wood, Yardley. Total 18.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 526 was adopted by the following vote:

Ayes: C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Halvorson, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, O'Connell, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Yardley, Mr. Speaker. Total 70.

Noes: Aageson, Guthrie, Hageman, Helmbrecht, Kendall, Lockrem, Marks, Mercer, Jack Moore, Murphy, Smith, Wood, Wyrick. Total 13.

Excused: None.

Absent or not voting: J. Anderson, Day, Dussault, Ellison, Federico, Gould, Hager, Huennekens, Lien, Lynch, Mular, Palmer, Robbins, Sivertsen, Thomas, Travis, Wolfe. Total 17.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 534 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Casey, Conroy, Ellerd, Ellis, Fabrega, Fagg, Finley, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Underdal, Williams, Yardley, Mr. Speaker. Total 67.

Noes: Barrett, Brand, Ellison, Federico, Fishbaugh, Guthrie, Harper, Holmes, Lockrem, Marks, Murphy, Teague, Tropila, Vincent, Wyrick. Total 15.

Excused: None.

Absent or not voting: J. Anderson, Bradley, Dassinger, Day, Driscoll, Dussault, Gould, Huennekens, Lien, Luebeck, Lynch, Mular, Robbins, Sivertsen, Thomas, Travis, Wolfe, Wood. Total 18.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 544 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Tropila, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 78.

Noes: Brand, Harper, Holmes, Johnson, Kemmis, Richards, Vincent. Total 7.

Excused: None.

Absent or not voting: J. Anderson, Day, Dussault, Ellison, Gould, Huennekens, Lien, Lynch, James Moore, Mular, Robbins, Thomas, Travis, Underdal, Wolfe. Total 15.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 610 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager,

Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Tropila, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Brand, Federico, Holmes, McFadden, Richards, Teague. Total 6.

Excused: None.

Absent or not voting: J. Anderson, Dussault, Ellerd, Gould, Huennekens, Lien, Lynch, Mular, Robbins, Thomas, Travis, Wolfe, Wood. Total 13.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 644 was adopted by the following vote:

Ayes: C.R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Yardley. Total 72.

Noes: Aageson, Asher, Babcock, Barrett, Brand, Casey, Ellison, Fabrega, Kendall, Lockrem, Marks, Mercer, Jack Moore, Smith, Wood, Wyrick. Total 16.

Excused: None.

Absent or not voting: J. Anderson, Dussault, Gould, Huennekens, Lien, Lynch, Mular, Robbins, Thomas, Travis, Wolfe, Mr. Speaker. Total 12.

February 24, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bills Nos. 319, 414, 569.

QUILICI, Chairman

February 24, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 129, 349, 382, 436, 612, 639, 651, 664, 678, 409, 496.

QUILICI, Chairman

MOTIONS

Driscoll moved that the rules be temporarily suspended and that the nine bills which came out of committee this day without amendments be placed on Second Reading this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that all bills which pass Second Reading this day unamended be placed on Third Reading this day.

Motion carried.

The House recessed.

The House resumed. Mr. Speaker in the Chair.

MOTIONS

Bardanoue moved that the rules be temporarily suspended to permit the introduction of a bill dealing with the consolidation of the drug and alcohol programs.

The motion carried with a two-thirds majority voting in favor.

Jacobsen moved that the rules be temporarily suspended to permit the introduction of a joint resolution dealing with farmers filing a quarterly report with the Workmen's Compensation Division.

The motion carried with a two-thirds majority voting in favor.

Asher, Marks and Schye excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lund in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 24, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Lockrem in the Chair.

That House Bill No. 190 be amended as follows:

1. Amend page 2, section 1, line 3.

Strike: "one (1) degree"

Insert: "two (2) degrees or more" (84-0)

And as amended, do pass. (85-0)

That House Bill No. 236 do pass. (84-3)

That House Bill No. 266 do pass. (80-3)

That House Bill No. 267 do pass. (80-12)

That House Bill No. 313 do pass. (88-6)

That House Bill No. 342 do pass. (88-0)

That House Bill No. 492 be amended as follows:

1. Amend page 3, section 1, line 13.

Following: "statement."

Insert: "This act shall not apply to any application the fee for which would not exceed two thousand five hundred dollars (\$2,500)." (81-1)

And as amended, do pass. (72-14)

That House Bill No. 517 do pass. (86-0)

Lund resumes the Chair.

That House Bill No. 539 be amended as follows:

1. Amend page 4, section 4(1), lines 7 through 15.

Strike: "In addition, prior to either the department or the county initiating the control program, all the cropland producers in the proposed control area, which may be modified, shall have given their approval of participation. However, when insect infestation results in an emergency situation, seventy percent (70%) of the cropland producers involved in the proposed spraying program are sufficient to initiate the program. The department shall establish standards for declaration of an emergency situation."

Insert: a new subsection (2) that reads as follows:

"(2) The board of county commissioners of any county for which a cropland spraying program is intended, shall appoint a three-member insect evaluation committee once the department has published its notice of intent. The members shall be composed of farmers and ranchers having lands within the proposed program area. The committee, prior to the deadline of the notice of intent or within seven days of publication, whichever is less, shall review the finding of fact provided by the department to determine whether an area cropland spraying program shall be conducted for the agricultural producers in the proposed program area. If the committee determines that an area cropland spraying program is needed, the county or department shall call for a meeting of producers within the proposed program area. If a majority of those attending the meeting approve the program, then all producers within the proposed program area shall be included in the spray program and shall be subject to payment for the program.

Individual farm and ranch landowners may formally petition the county commissioners with a written affidavit protesting their inclusion within the proposed cropland spraying program. The county commissioners shall rule on the petition prior to producers meeting on the proposed program. The county commissioners' decision shall be based upon the findings of fact concerning the insect infestation."

Renumber: subsequent subsections. (83-0)

And as amended, do pass. (84-0)

That House Bill No. 561 do pass. (80-9)

That House Bill No. 562 do not pass. (56-34)

That House Bill No. 563 do pass. (87-6)

That House Joint Resolution No. 55 do pass. (84-5)

That House Resolution No. 3 be adopted. (83-2)

That House Bill No. 632 be amended as follows:

1. Amend title, page 1, lines 6 and 7.

Following: "period of"

Strike: "eight and one-half (8 1/2)"

Insert: "ten and one-half (10 1/2)" (78-4)

And be further amended:

2. Amend page 1, section 1, line 13.

Following: "period of"

Strike: "eight and one-half (8 ½)"

Insert: "ten and one-half (10 ½)"

3. Amend page 1, lines 16 through 22.

Strike: section 2 in its entirety.

Renumber: subsequent sections. (73-3)

And as amended, do pass. (71-19)

That Senate Amendments to House Bills Nos. 70, 32 and 67 be passed for the day.

That House Bill No. 13 do pass. (91-1)

That House Bill No. 568 be amended as follows:

1. Amend the bill, Second Reading, page 1.

Following: line 22

Insert: "Section 3. This act is repealed on August 1, 1976, or upon completion of the memorial project, whichever first occurs." (83-1)

And as amended, do pass. (89-4)

That House Bill No. 578 do pass. (51-37)

That House Bill No. 599 do pass. (85-7)

That the Committee rise and report.

LUND, Chairman

Palmer moved that House Bill No. 562 be segregated from the Committee of the Whole report.

Motion passed.

Sivertsen moved that House Bill No. 561 be segregated from the Committee of the Whole report and as amended be adopted.

Motion failed.

Report adopted, as amended.

HOUSE RESOLUTION NO. 3

Introduced by Menahan, Kanduch

A Resolution of the House of Representatives of the State of Montana in memory of Wayne Estes.

Whereas, it is fitting and proper that this deliberative body pay tribute to the memory of Wayne Estes on this, the tenth anniversary of this tragic death, and

Whereas, the memory of Wayne Estes, Anaconda's most renowned former sportsman will be honored on this eighth day of February by officials at Utah State University, and

Whereas, Wayne Estes is remembered by Montanans not only as Montana's finest All-American collegian, but as an outstanding and promising young man, and

Whereas, throughout his tragically short but brilliant athletic career both at Anaconda and Utah State, Wayne Estes served as an inspiration to aspiring young athletes throughout Montana to the betterment of Montana's youth.

Now, Therefore, Be It Resolved by the House of Representatives of the State of Montana:

That we hereby express our esteem and respect to the memory of Wayne Estes of Anaconda and extend to the members of his family our sincere sympathy and community of spirit in their great and irreparable loss.

Be It Further Resolved, that a copy of this memorial be entered upon the journal of the House of the Forty-fourth Legislature and that original copies of this memorial, signed by the Speaker of the House be transmitted by the Secretary of the House to the parents of Wayne Estes and that an original copy of this memorial be filed with the Montana Historical Society.

REPORTS OF STANDING COMMITTEES

February 24, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 656.

QUILICI, Chairman

February 24, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 331, 370, 488, 513, 556, 624, 625, 592, 509.

QUILICI, Chairman

February 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 637, respectfully report as follows: That House Bill No. 637 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 22.

Following: "law"

Insert: "or the prevailing rate of pay for persons employed in similar occupations by the same employer"

2. Amend page 2, section 1, lines 3 through 5.

Following: "institutions"

Strike: "with the advice and consent of the [state board of pardons] furlough committee created in section 4 of this act which"

Insert: ". The prisoner"

3. Amend page 2, section 2, subsection (1), following line 18.

Insert: a new subsection (2) to read as follows:

"(2) 'Board' means the board of pardons provided for in section 82A-804."

Re-number: subsequent subsections.

4. Amend page 3, section 2, subsection (6), lines 7 through 10.

Strike: subsection (6) in its entirety.

Re-number: subsequent subsection.

5. Amend page 3, section 3, subsection (1), line 25.

Following: "law"

Insert: "or the prevailing rate of pay for persons employed in similar occupations by the same employer"

6. Amend page 4, section 3, subsection (2), line 1.

Following: "educational"

Insert: ", treatment,"

7. Amend page 4, section 4, lines 5 through 21.

Strike: section 4 in its entirety.

Renumber: subsequent sections.

8. Amend page 5, section 5, line 3.

Following: "[board]"

Strike: "after having served"

9. Amend page 5, section 5, line 3.

Following: "at least"

Insert: "by the time the inmate has served"

10. Amend page 5, line 5 through page 7, line 17.

Strike: present section 6 in its entirety.

Insert: a new section to read as follows:

"Section 5. Section 95-2221, R.C.M. 1947, is amended to read as follows:
'95-2221. Consideration of application — furlough plan — notification or consent of sheriff necessary — duties of board. (1) [The] At the meeting of the board following the signing of any prisoner's application the board shall approve or deny the application of [the] each prisoner after careful study of the prisoner's [conduct, attitude and behavior in the prison in which the prisoner is confined, his] furlough plans, criminal history, and all other pertinent case material. The following rules shall be observed when the board meets to consider an application:

(a) each applicant may call two (2) witnesses from outside the institution to testify as to the applicant's general attitude, participation in self-help activities, or his character or job references;

(b) each applicant shall remain present during the discussion of his application by the board and be given an oral decision on his application before the adjournment of the board as well as a written decision including a thorough statement of reasons for the decision;

(c) each applicant shall be viewed singly, and shall be recognized as an individual;

(d) each applicant shall be allowed to discuss any specific problem areas with any member of the board.

(2) If the application is approved, the [warden shall adopt a furlough plan for the prisoner, which shall constitute an extension of the limits of confinement.] department shall: within the shortest possible time, locate an agency capable of supervising the applicant.

(3) [No prisoner shall be released without the written consent of the sheriff of the county receiving the prisoner.] The supervising agency, the department, and the applicant shall enter into a written agreement setting out the conditions and purposes of the furlough and specifying the responsibility assumed by each of the parties. The agreement shall be executed, signed by the parties before a notary public, in triplicate, with one copy to be filed with the supervising agency and the department and one copy to be retained by the applicant.

(4) Upon the signing of the agreement, the prisoner shall be released to the supervising agency.

(5) Final authority in all matters pertaining to prisoner furloughs is in the department.

(6) When an inmate is to reside in the county jail, the consent of the sheriff in the receiving county is necessary. However, when the inmate

is to reside in a community corrections center or some other supervised setting the sheriff of the receiving county shall be notified.

(7) If the application is denied the prisoner may reapply after six (6) months time. After an applicant has been denied three (3) times he may appeal to the department for a hearing.”

11. Amend page 9, section 10, line 25.

Following: “agency—”

Insert: “change or”

12. Amend page 10, section 10, subsection (1), line 2.

Following: “act.”

Insert: “The department may delegate jurisdictional supervision of work furlough participants to the adult parole and probation field service.”

13. Amend page 10, section 10, subsection (2), lines 13 through 17.

Following: “noncompliance,”

Strike: “the department shall file an affidavit in the district court of the county in which the violation took place charging the prisoner with a violation of the rules and regulations of the furlough agreement. The district court”

Insert: “the board”

14. Amend page 10, section 10, subsection (2), line 20.

Following: “agreement, the”

Strike: “court”

Insert: “board”

15. Amend page 10, section 10, subsection (3), line 22.

Following: “determines”

Insert: “after having been advised by the supervising agency or the adult parole and probation field service,”

16. Amend page 11, section 10, subsection (3), line 3.

Strike: “ten (10)”

Insert: “thirty (30)”

17. Amend page 11, section 10, subsection (3), following line 4.

Insert: a new subsection (4) to read as follows:

“(4) If, after a reasonable time, a furloughed prisoner determines that his furlough plan is unsatisfactory due to personality conflict, a violation of his rights by his supervisor, or a change of interest or employment status, the department shall grant him a hearing to determine whether or not a new furlough plan should be executed.”

ReNUMBER: subsequent subsections.

18. Amend page 11, section 10, subsection (4), line 15.

Following: “schooling”

Insert: “, treatment,”

19. Amend page 11, section 10, subsection (4), line 21.

Following: “request that”

Strike: “his”

20. Amend page 12, section 10, subsection (4), lines 1 through 5.

Following: “may”

Strike: “file an affidavit in the district court of the county in which the prisoner is furloughed, stating that the prisoner is not benefiting from the furlough program and will not benefit from continued participation in the program and requesting a hearing”

Insert: “request a hearing by the board of pardons”

21. Amend page 12, section 10, subsection (4), line 10.

Following: "the"

Strike: "court"

Insert: "board"

22. Amend page 12, line 16 through page 15, line 21.

Strike: present section 11 in its entirety.

Insert: new sections 10 and 11 to read as follows:

"Section 10. All rules promulgated under this act shall comply with the Montana Administrative Procedure Act.

Section 11. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section.

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), line 13.

Following: "gross"

Insert: "income"

2. Amend page 1, section 1, subsection (1), line 14.

Strike: "cash wages"

3. Amend page 1, section 1, subsection (1), line 15.

Following: "days"

Strike: " "

Insert: "if employment is terminated by the employer through no fault of the applicant. If the applicant resigns after starting employment or is discharged through his own fault after thirty (30) days of employment the applicant shall pay the full fee provided that an adjustment is not reached within fifteen (15) days from the last day worked. If the applicant resigns or terminates within thirty (30) days, the applicant shall not pay in excess of ten percent (10%) of the total gross income received."

4. Amend page 1, section 1, subsection (2), line 17.

Following: "percentage of the"

Insert: "annual income based on the"

5. Amend page 1, section 1, subsection (2), line 17.

Following: "gross"

Strike: "cash wages paid"

Insert: "income"

6. Amend page 1, section 1, subsection (2), lines 18 and 19.

Following: "for employment"

Strike: "which lasts longer than ninety (90) days"

7. Amend page 1, section 1, subsection (2), lines 20 through 25.

Strike: the remainder of subsection (2) in its entirety.

Insert:

"Schedule of Placement Fees

Monthly Income	Percent of First Full Month's Gross Income
Less than \$200	30%
\$200 to \$224	35%
\$225 to \$299	40%
\$300 to \$349	50%
\$350 to \$499	60%
\$500 to \$649	65%
\$650 to \$799	70%
\$800 and up	75%

Cost of going business increases are to be reviewed by the department of labor bi-annually and any adjustments in rates may be approved by the department accordingly."

8. Amend page 2, section 2, lines 15 through 19.

Following: "for interview."

Strike: the remainder of section 2 in its entirety.

Insert: "Prior to referring an applicant with the prospective employer for employment, the employment agency shall reconfirm that the job opening does still exist and documents this on the job order."

9. Amend page 3, following line 13.

Insert: a new section 4 to read as follows:

"Section 4. Filing of complaints. Any complaints filed with the department of labor shall be sent to that private employment agency involved, or to the Montana Private Employment Agency Association."

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 450, respectfully report as follows: That House Bill No. 450 be amended in the introduced bill as follows:

1. Amend page 3, section 2, subsection (5), line 1.

Following: "grievances"

Insert: ", wages, hours and other"

2. Amend page 4, section 4, following line 8.

Insert: two new paragraphs as follows:

"However, no employee who is a member of a bona fide religious sect, or division thereof, the established and traditional tenets or teachings of which oppose a requirement that a member of such sect or division join or financially support any labor organization, may be required to join or financially support any labor organization as a condition of employment, if such employee pays, in lieu of periodic union dues, ini-

tiation fees and assessments, at the same time or times such periodic union dues, initiation fees and assessments would otherwise be payable, a sum of money equivalent to such periodic union dues, initiation fees and assessments, to a nonreligious, nonunion charity designated by the labor organization. Such employee shall furnish to such labor organization written receipts evidencing such payments and failure to make such payments or furnish such receipts shall subject the employee to the same sanctions as would nonpayment of dues, initiation fees or assessments under the applicable collective bargaining agreement.

An employee desiring to avail himself or herself to the right of nonassociation with a labor organization as provided in this section shall make written application to the chairman of the board of personnel appeals. Within ten (10) days of the date of receipt of such application, the chairman shall appoint a committee of three (3) consisting of a clergyman not connected with the sect in question, a labor union official not directly connected with the labor organization in question, and a member of the public at large, who shall be the chairman. The committee shall, within ten (10) days of the date of its appointment, meet at the locale of either the employee's residence or place of employment and, after receiving written or oral presentations from all interested parties, determine by a majority vote whether or not such employee qualifies for the right of nonassociation with such labor organization. The committee's decision shall be made in writing within three (3) days of the meeting date and a copy thereof shall be mailed to such employee, labor organization and the chairman of the board of personnel appeals."

3. Amend page 6, section 6, subsection (4) (a), line 25.

Following: "services"

Insert: "unless it is of an unsafe nature"

4. Amend page 8, section 8, line 23.

Following: "times and"

Strike: "confer"

Insert: "negotiate"

5. Amend page 9, section 8, subsection (2), line 16.

Following: "meet and"

Strike: "confer"

Insert: "negotiate"

6. Amend page 14, section 18, line 24.

Following: "government"

Insert: "or persons subject to other collective bargaining acts"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 14.

Following: "[(\$1.60)]"

Strike: "two dollars (\$2.00) an hour,"

Insert: "provided in subsections (1) and (2)"

2. Amend page 1, section 1, lines 19 through 22.

Strike: these lines in their entirety.

Insert: two new subsections (a) (1) and (2) as follows:

"(1) one dollar eighty cents (\$1.80) an hour for the first year from the effective date of this act.

(2) two dollars (\$2.00) an hour for the second year from the effective date of this act and thereafter."

3. Amend page 3, section 1, subsection (c), lines 7 and 8.

Following: "less than"

Strike: "[the following rates.] four hundred sixty dollars (\$460) a month."

Insert: "the following rates:"

4. Amend page 3, section 1, subsection (c), lines 9 through 14.

Strike: these lines in their entirety.

Insert: two new subsections (c) (1) and (2) as follows:

"(1) four hundred twenty dollars (\$420) a month for the first year from the effective date of this act;

(2) four hundred sixty dollars (\$460) a month for the second year from the effective date of this act and thereafter."

(Material in brackets denotes cancelled type.)

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 633, respectfully report as follows: That House Bill No. 633 be amended in the introduced bill as follows:

1. Amend page 2, section 2, lines 10 and 11.

Strike: "[(3) "Department" means the department of labor and industry provided for in Title 82A, chapter 10.]"

Insert: "(3) "Department" means the department of labor and industry provided for in Title 82A, chapter 10."

2. Amend page 4, section 2, subsection 15, lines 22 and 23.

Strike: this subsection in its entirety.

3. Amend page 14, section 6, subsection (2), line 9.

Strike: "[department] staff"

Insert: "department"

4. Amend page 14, section 6, subsection (2), lines 10 and 11.

Following: "with the"

Strike: "[department] commission"

Insert: "department"

5. Amend page 15, section 6, subsection (4), line 5.

Strike: "[department] commission staff"

Insert: "department"

6. Amend page 15, section 6, subsection (4), line 7.

Strike: "[department] staff"

Insert: "department"

7. Amend page 15, section 6, subsection (5), line 12.

Strike: "[department] staff"

Insert: "department"

8. Amend page 15, section 6, subsection (5), line 24.

Strike: "[department] staff"

Insert: "department"

9. Amend page 17, section 7, subsection (4), line 7.

Following: "by the"

Strike: "commission staff"

Insert: "department"

10. Amend page 17, section 8, line 15.

Strike: "commission staff"

Insert: "department"

11. Amend page 17, section 9, line 21.

Strike: "[Department] Staff"

Insert: "Department"

12. Amend page 17, section 9, subsection (1), line 22.

Strike: "[department] staff"

Insert: "department"

13. Amend page 20, section 13, line 10.

Following: "implement"

Strike: "this act"

Insert: "hearing procedures"

(Material in brackets denotes cancelled type.)

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 399, respectfully report as follows: That House Bill No. 399 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 5.

Following: "a"

Strike: "city"

2. Amend the title, page 1, line 9.

Following: "1947"

Strike: "; and providing an effective date"

3. Amend page 7, section 7, subsection (1), line 11.

Strike: "are"

Insert: "is"

4. Amend page 7, section 7, subsection (2), line 21.

Following: "act"

Insert: " , except that those employees covered under collective bargaining agreements as provided for in chapter 16 of Title 59, R.C.M. 1947, shall be entitled to use any grievance procedure provided for within the collective bargaining agreement"

5. Amend page 8, section 8, subsection (4), line 25.

Following: "employee"

Insert: "to the same position he held and"

6. Amend page 9, section 8, subsection (4), line 1.

Following: "salary"

Strike: "that employee"

Insert: "he"

7. Amend page 9, section 9, subsection (2), line 18.

Following: "commission"

Insert: "in the manner provided in section 8 of this act"

8. Amend page 11, section 12, lines 8 and 9.

Strike: this section 12 in its entirety.

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 573, respectfully report as follows: That House Bill No. 573 do not pass.

KIMBLE, Chairman

Objection raised by Teague on the adverse committee report on House Joint Resolution No. 34. Referred to Second Reading.

Objection raised by Marks on the adverse committee report on House Bill No. 573. Referred to Second Reading.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 173 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Hubing. Total 1.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Conroy, Ellison, James Moore, Mular, Travis. Total 5.

House Bill No. 239 passed by the following vote:

Ayes: Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger,

Day, Driscoll, Ellis, Fagg, Fishbaugh, Gerke, Gilligan, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kropp, Kvaalen, Lester, Lien, Lory, Lund, Lynch, McFadden, Manuel, Meloy, Menahan, Jack Moore, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Scully, Sivertsen, Smith, South, Staigmillier, Teague, Thomas, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley. Total 56.

Noes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bradley, Dussault, Ellerd, Fabrega, Federico, Finley, Fleming, Gould, Gunderson, Guthrie, Hageman, Harper, Holmes, Huennekens, Kemmis, Kendall, Kimble, Kummerfeldt, Lockrem, Luebeck, Magone, Mercer, Palmer, Richards, Seifert, Shelden, Sloan, Stoltz, Vincent, Mr. Speaker. Total 37.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Ellison, James Moore, Mular, Travis. Total 4.

House Bill No. 360 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley. Total 87.

Noes: Bertelsen, Casey, Ellison, Gunderson, Guthrie, Lockrem, Smith, Mr. Speaker. Total 8.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Mular, Williams. Total 2.

House Bill No. 445 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Casey, Mular. Total 2.

House Bill No. 458 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: Casey, Ellerd, Guthrie, Hageman, Hager, Hubing, Kropp, Kvaalen, Lien, Lockrem, Mercer, Seifert, Smith, Underdal, Wood, Wyrick. Total 16.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: None.

House Bill No. 507 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Babcock, Barrett, Bertelsen, Casey. Total 4.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: None.

House Bill No. 555 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Brand, Johnson, Lester. Total 3.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: None.

House Bill No. 164 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Casey, Lund, Seifert. Total 3.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Ellison. Total 1.

House Bill No. 176 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Brand, Guthrie, Kvaalen, Smith, Underdal. Total 5.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Lien. Total 1.

House Bill No. 179 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 80.

Noes: Babcock, Barrett, Brand, Casey, Ellerd, Ellison, Fagg, Hager, Hubing, Kvaalen, Lockrem, Mercer, Jack Moore, Seifert, Smith, Underdal, Wood. Total 17.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: None.

Senate Bill No. 108 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 61.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Brand, Casey, Conroy, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gerke, Gould, Guthrie, Hager, Hubing, Johnston, Kropp, Kvaalen, Lockrem, Lory, Lund, McFadden, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Tropila, Underdal, Wood, Wyrick. Total 39.

Paired: Driscoll, Huennekens, Meloy, Ayes; Asher, Marks, Schye, Noes.

Excused: None.

Absent or not voting: None.

House Bill No. 236 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 86.

Noes: Bardanouve, Fleming, Gunderson, Hageman, Underdal, Wood, Wyrick. Total 7.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Day, Ellison, Federico, Staigmiller. Total 4.

House Bill No. 266 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden,

Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Ellerd, Fleming, Gunderson, Smith, Wood. Total 5.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Day, Ellison. Total 2.

House Bill No. 267 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 83.

Noes: Bardanouve, Bertelsen, Day, Fleming, Gunderson, Hageman, Kummerfeldt, Mercer, Sivertsen, Smith, Wood, Wyrick. Total 12.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Ellison, Halvorson. Total 2.

House Bill No. 313 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Brand, Casey, Hubing, Kvaalen, Lund. Total 5.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Wood. Total 1.

House Bill No. 342 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan,

Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Seifert, Sheldon, Sivertsen, Sloan, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Guthrie, Lockrem, Smith. Total 3.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Ellison, Helmbrecht, Richards. Total 3.

House Bill No. 517 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Casey, Ellison. Total 2.

House Bill No. 561 passed by the following vote:

Ayes: Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Sheldon, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 81.

Noes: Aageson, C. R. Anderson, J. Anderson, Casey, Ellerd, Ellison, Guthrie, Lockrem, Lund, Mercer, Jack Moore, James Moore, Seifert, Sivertsen, Staigmillar, Mr. Speaker. Total 16.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: None.

House Bill No. 563 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien,

Lockrem, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Aageson, Bengtson, Casey, Lund, McFadden, Robbins, Tropila. Total 7.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Ellison, Fleming. Total 2.

House Joint Resolution No. 55 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 90.

Noes: Guthrie, Hubing, Kvaalen, Lockrem, Smith, Wood, Wyrick. Total 7.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: None.

House Bill No. 13 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 93.

Noes: Brand, Dassinger. Total 2.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Huennekens, Yardley. Total 2.

House Bill No. 578 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Gerke, Gould, Guthrie, Gwynn, Hager, Helmbrecht, Herlevi, Hubing, Jacobsen,

Johnston, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Lien, Lory, Lund, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, Mular, O'Connell, Quilici, Rasmussen, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Underdal, Williams, Mr. Speaker. Total 57.

Noes: J. Anderson, Bradley, Brand, Driscoll, Dussault, Fishbaugh, Fleming, Gilligan, Gunderson, Hageman, Halvorson, Harper, Holmes, Huennekens, Johnson, Kemmis, Kimble, Kvaalen, Lester, Lockrem, Luebeck, McFadden, Jack Moore, James Moore, Murphy, Palmer, Richards, Seifert, Smith, Staigmillier, Stoltz, Teague, Thomas, Tropila, Vincent, Wolfe, Wood, Wyrick, Yardley. Total 39.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Travis. Total 1.

House Bill No. 599 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 86.

Noes: Casey, Day, Hager, Lockrem, James Moore, Murphy, Smith, Underdal. Total 8.

Excused: Asher, Marks, Schye. Total 3.

Absent or not voting: Gould, Halvorson, Wood. Total 3.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Joint Resolution No. 66, introduced by Jacobsen, Manuel, Kummerfeldt, Lien, James Moore, Murphy, Conroy: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Division of Workmen's Compensation to adopt a rule in the Montana Administrative Code changing the period for filing plan three exemption reports. Referred to Committee on Labor and Employment Relations.

House Bill No. 698, introduced by Quilici, Magone, Lynch, Menahan, Kelly, Mular: A bill for an act entitled: "An act appropriating moneys to the Department of Social and Rehabilitation Services for grants to Mineral and Silver Bow Counties under provisions of the Public Welfare Act." Referred to Committee on Appropriations.

House Bill No. 699, introduced by Bardanouve, Gerke, Mercer: A bill for an act entitled: "An act to consolidate all functions of state government dealing with addictive diseases in the Department of Institutions; amending Sections 69-6203 and 69-6212." Referred to Committee on State Administration.

Driscoll moved that the House adjourn until 1:00 p.m., February 23, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 25, 1975

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 24, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 111, 540.

QUILICI, Chairman

February 25, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 583.

QUILICI, Chairman

February 25, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly printed: House Bills Nos. 8, 95, 250, 426, 522, 537, 560, 573, 620, 623, 647, 660, 665, 667, 677, 566, House Joint Resolutions Nos. 34, 62.

QUILICI, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be terminated by the House of Representatives for the 44th Legislative Session at the close of business:

February 17, 1975

Maxine McFarland.....Committee Secretary

At the close of business, February 20, 1975, the following also be terminated:

Laura Sullivan.....Page

At the close of business, February 25, 1975, the following also be terminated:

Scott Romine.....Page

Debbie Anderson.....Page

At the beginning of business February 24, 1975, the following also be employed:

Jeff Johnson.....	Page
Kevin Galvin.....	Page
Jennifer Davis.....	Page
Jane Meredith.....	Page
Alona Brester.....	Page
Jane M. Vollstedt.....	Page

LYNCH, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 692, respectfully report as follows: That House Bill No. 692 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 14.

Following: "fund"

Strike: "524,500"

Insert: "710,000"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 655, respectfully report as follows: That House Bill No. 655 be amended in the introduced bill as follows:

1. Amend the title, page 1, lines 7 and 8.

Following: "talented,"

Strike: "eliminate the cultural exclusion for educationally handicapped,"

2. Amend the title, page 1, lines 12 through 15.

Following: "talented,"

Strike: "to allow five percent of allowable costs for general district administrative costs for special education, to provide a ratio formula for principals,"

3. Amend page 3, section 1, subsection (4), line 16.

Following: "handicaps,"

Strike: "[cultural or]"

Insert: "cultural or"

4. Amend page 7, section 4, subsection (1) (a) (i), lines 3 through 6.

Following: "personnel"

Strike: "[;—a portion of the entire cost corresponding to the portion of entire working time which each such person devotes to the special program]"

Insert: " — a portion of the entire cost corresponding to the portion of entire working time which each such person devotes to the special program;"

5. Amend page 7, section 4, subsection (1) (a) (ii), lines 8 through 10.

Following: "staff"

Strike: ";;[— the amount allowed for budget purposes per full-time special

pupil may not exceed the amount budgeted per regular ANB for the current year]"

Insert: " — the amount allowed for budget purposes per full-time special pupil may not exceed the amount budgeted per regular ANB for the current year;"

6. Amend page 7, section 4, subsection (1) (a) (iii), lines 11 through 14.

Following: "expenses"

Strike: "; [— the amount allowed for budget purposes per full-time special pupil may not exceed the amount budgeted per regular ANB for the current year.]"

Insert: " — the amount allowed for budget purposes per full-time special pupil may not exceed the amount budgeted per regular ANB for the current year."

7. Amend page 7, section 4, subsection (1) (a) (iv), lines 15 through 18.

Strike: the entire sub-subsection (iv).

8. Amend page 7, section 4, subsection (1) (b) (i), lines 22 through 25, and page 8, line 1.

Following: "to the"

Strike: "[portion of the entire working time which each such person devotes to the special program but not to exceed one and seventy-five hundredths (1.75) times the amount budgeted per regular ANB for the current year]"

Insert: "portion of the entire working time which each such person devotes to the special program but not to exceed one and seventy-five hundredths (1.75) times the amount budgeted per regular ANB for the current year"

9. Amend page 8, section 4, subsection (1) (b) (i), lines 1 through 5.

Following: "[year]"

Strike: "ratio of the number of regular classroom students to the number of full-time special education students, and in the case of resource teachers and speech therapists, the number of full-time equivalent students"

(Material in brackets denotes cancelled type.)

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 628, respectfully report as follows: That House Bill No. 628 be amended in the introduced bill as follows:

1. Amend page 6, section 1, subsection (6) (b), line 1.

Following: "of"

Strike: "land"

Insert: "school land or for the improvement of school structures"

2. Amend page 8, section 2, subsection (3), line 22.

Following: "structures"

Strike: "included in"

Insert: "affected by"

And as amended, do not pass.

GUNDERSON, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 361, respectfully report as follows: That House Bill No. 361 do not pass.

GUNDERSON, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 577 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 78.

Noes: Brand, Finley, Harper, Murphy, Richards, Vincent. Total 6.

Excused: None.

Absent or not voting: Asher, Babcock, Bardanouve, Ellison, Gerke, Gould, Hager, Helmbrecht, Huennekens, Kimble, Lien, Manuel, Schye, Sloan, Travis, Williams. Total 16.

MESSAGE FROM THE OTHER HOUSE

February 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills, providing for a constitutional amendment and requiring a two-thirds vote of the Legislature, were this day read three several times, and are herewith transmitted to the House for concurrence:

Senate Bill No. 31, introduced by Fasbender, Himsl, Greely, Drake, et al

Yeas - 24

Nays - 25

Senate Bill No. 53, introduced by Kolstad, Thiessen, Stephens, et al

Yeas - 32

Nays - 17

Senate Bill No. 218, introduced by Roberts, Goodover

Yeas - 11

Nays - 39

Senate Bill No. 244, introduced by Manley, McCallum, Flynn

Yeas - 15

Nays - 34

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Fabrega moved that House Bill No. 630 be taken from the Committee on Labor and Employment Relations and be placed on Second Reading this day. Fabrega requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 81.

Noes: R. Baeth, W. Baeth, Brand, Dassinger, Harper, Herlevi, Kelly, Lester, Magone, Mular, Palmer, Travis, Mr. Speaker. Total 13.

Excused: None.

Absent or not voting: Finley, Kimble, O'Connell, Schye, Shelden, Thomas. Total 6.

Sloan moved that House Bill No. 556 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that printed versions of amended committee reports be placed on Second Reading this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that bills which come out of committee this day without amendments be placed on Second Reading this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that all bills which pass Second Reading this day unamended be placed on Third Reading this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 202, introduced by Towe, Fasbender, Regan, Turnage, Brown, Foster: A bill for an act entitled: "An act providing for prepublication notice to a candidate criticized in a preelection advertisement by the sponsor of the advertisement and medium carrying the advertisement and providing penalties." Referred to Committee on Judiciary.

Senate Bill No. 203, introduced by Towe, Colberg, Norman: A bill for an act entitled: "An act to authorize citizens to complain to certain state agencies about environmental degradation and, failing to receive action within one hundred eighty (180) days, to maintain an action in court." Referred to Committee on Natural Resources.

Senate Bill No. 31, introduced by Fasbender, Himsl, Greely, Drake, Lee, R. Smith, Murphy, Warden, Brown, Regan, Romney, Colberg, Dunkle, Watt, Norman, Seibel: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article V, Section 6 of the Montana Constitution to provide that the Legislature shall meet in annual sessions." Referred to Committee on Judiciary.

Senate Bill No. 53, introduced by Kolstad, Thiessen, Stephens, Turnage, E. Smith, Aber, Galt, Nelson: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article II, Section 14, of the Montana Constitution to require persons to be 19 years of age or older for the purpose of purchasing, consuming, or using alcoholic beverages." Referred to Committee on Judiciary.

Senate Bill No. 218, introduced by Roberts, Goodover: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to Article V, Section 2 of the Montana Constitution to reduce the size of the Senate to twenty-five (25) members and the House of Representatives to fifty (50) members." Referred to Committee on Judiciary.

Senate Bill No. 244, introduced by Manley, McCallum, Flynn: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article VIII, Section 3 of the Montana Constitution to transfer general property tax administration from the state to the counties." Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 319 failed by the following vote:

Ayes: R. Baeth, W. Baeth, Bradley, Brand, Day, Driscoll, Ellis, Fagg, Federico, Finley, Fleming, Gilligan, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Lester, Luebeck, Lynch, Magone, Meloy, Menahan, James Moore, Murphy, Palmer, Quilici, Rasmussen, Richards, Schye, Shelden, Sloan, Stoltz, Thomas, Travis, Vincent, Wolfe, Mr. Speaker. Total 45.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Casey, Conroy, Ellerd, Ellison, Fabrega, Fishbaugh, Gerke, Gould, Gwynn, Hager, Hubing, Jacobsen, Johnston, Kanduch, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, McFadden, Manuel, Marks, Mercer, Jack Moore, O'Connell, Scully, Seifert, Sivertsen, Smith, South, Staigmilller, Teague, Tropila, Underdal, Williams, Wood, Wyrick, Yardley. Total 48.

Excused: None.

Absent or not voting: Bardanouve, Dassinger, Dussault, Kendall, Kimble, Mular, Robbins. Total 7.

House Bill No. 414 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth,

Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 89.

Noes: Babcock, Guthrie, Jack Moore, Smith, Underdal, Wyrick. Total 6.

Excused: None.

Absent or not voting: Dussault, Kendall, Kimble, Mular, Wood. Total 5.

House Bill No. 569 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Wood. Total 1.

Excused: None.

Absent or not voting: Dussault, Kendall, Kimble, Mular. Total 4.

House Bill No. 656 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, W. Baeth, Barrett, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kummerfeldt, Lester, Lien, Luebeck, Lund, Lynch, Magone, Manuel, Menahan, James Moore, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 60.

Noes: Asher, Babcock, R. Baeth, Bengtson, Bertelsen, Casey, Ellerd, Ellis, Ellison, Gould, Guthrie, Hageman, Hager, Herlevi, Hubing, Jacobsen, Johnston, Kropp, Kvaalen, Lockrem, Lory, McFadden, Marks, Mercer, Jack Moore, Rasmussen, Seifert, Smith, Underdal, Wood, Wyrick. Total 31.

Excused: None.

Absent or not voting: Bardanouve, Dussault, Finley, Kendall, Kimble, Meloy, Mular, Schye, Stoltz. Total 9.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

James Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 25, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 32 be concurred in. (85-3)

That Senate Amendments to House Bill No. 67 be concurred in. (89-0)

That Senate Amendments to House Bill No. 70 be passed until the forty-seventh legislative day.

Hager excused at this time.

That House Bill No. 80 do pass. (52-44)

That House Bill No. 348 do not pass. (54-39)

That House Bill No. 562 do pass. (58-29)

That House Bill No. 629 do pass. (65-12)

That House Bill No. 639 do not pass. (56-31)

That House Bill No. 651 do not pass. (62-21)

That House Joint Resolution No. 35 do pass. (74-8)

That House Joint Resolution No. 65 be amended as follows:

1. Amend page 2, line 5.

Following: "general"

Insert: ".,"

Strike: the balance of line 5, and lines 6 and 7 in their entirety. (46-37)

And as amended, do pass. (88-4)

That the Committee rise and report and beg leave to sit again.

JAMES MOORE, Chairman

Barrett moved that House Bill No. 348 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

COMMUNICATIONS AND PETITIONS

Without objection the Speaker rereferred Senate Bills Nos. 329 and 330 from the Committee on Business and Industry to the Committee on State Administration.

REPORTS OF STANDING COMMITTEES

February 25, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration House Joint Resolution No. 42, respectfully report as follows: That House Joint Resolution No. 42 do pass.

HUENNEKENS, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 455, respectfully report as follows: That House Bill No. 455 do pass.

HUENNEKENS, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 567, respectfully report as follows: That House Bill No. 567 do pass.

HUENNEKENS, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 531, respectfully report as follows: That House Bill No. 531 do pass.

HUENNEKENS, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 63, respectfully report as follows: That House Joint Resolution No. 63 do pass.

BRADLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 53, respectfully report as follows: That House Joint Resolution No. 53 do pass.

BRADLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 52, respectfully report as follows: That House Joint Resolution No. 52 do pass.

BRADLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had

under consideration House Bill No. 650, respectfully report as follows: That House Bill No. 650 do pass.

BRADLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 699, respectfully report as follows: That House Bill No. 699 do pass.

BRAND, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 291, respectfully report as follows: That Senate Bill No. 291 be concurred in.

W. BAETH, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Joint Resolution No. 27, respectfully report as follows: That Senate Joint Resolution No. 27 be concurred in.

W. BAETH, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 do pass.

YARDLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Joint Resolution No. 59, respectfully report as follows: That House Joint Resolution No. 59 do pass.

YARDLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84, introduced reading, be amended as follows:

1. Amend page 2, section 1, following subsection (2), line 14.
Insert: new subsection as follows:

" (3) The attorney general shall amend the proclamation filed under section 32-2144.1 to declare that a violation of the speed limit imposed by that proclamation is a prima facie violation of section 32-2144 upon

a finding by the legislative council such a declaration is necessary as a condition of continued eligibility for the state of Montana to obtain full benefits under the provisions of the Federal-Aid Highway Act and all acts amendatory thereto. A proclamation under this subsection supercedes subsections (1) and (2) of this section."

And as amended, do pass.

W. BAETH, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 684, respectfully report as follows: That House Bill No. 684 be amended in the introduced bill as follows:

1. Amend page 3, section 3, line 22.

Following: "period of"

Strike: "twenty (20)"

Insert: "fifteen (15)"

2. Amend page 8, section 5, line 24.

Strike: "the highest lawful"

Insert: "at the rate of one and one-half percent (1 $\frac{1}{2}$ %) per month,"

3. Amend page 9, section 5, subsection (b), lines 6 and 7.

Following: "date on which"

Strike: "the property owner withdraws from court"

4. Amend page 9, section 5, subsection (b), line 7.

Following: "amount finally awarded"

Insert: "is available in the court to be withdrawn by the defendant"

5. Amend page 9, section 5, subsection (b), line 13.

Following: "full amount is"

Strike: "withdrawn"

Insert: "available for withdrawal"

6. Amend page 10, section 6, line 9.

Following: "guards"

Insert: "necessitated by the condemnation action,"

7. Amend page 10, section 6, line 10.

Following: "shall be built"

Insert: "as soon as feasible,"

8. Amend page 13, section 7, line 12.

Following: "shall"

Insert: "need"

9. Amend page 14, section 9, line 9.

Following: "defendant's"

Strike: "real or personal"

Insert: "adjacent"

10. Amend page 14, section 11, line 22.

Following: "The owner of"

Insert: "property adjacent to"

As so amended, without recommendation.

HARPER, Vice-Chairman

Report adopted.

February 13, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 541, respectfully report as follows: That House Bill No. 541, introduced reading, be amended as follows:

1. Amend title, page 1, lines 5 and 6.

Strike: "every five years"

Insert: "to be issued for a minimum of five years"

2. Amend page 2, section 1, subsection (a), lines 12 and 13.

Following: "years"

Strike: "divisible by the number five (5)"

Insert: "for a minimum of five (5) years"

And as amended, do pass.

W. BAETH, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 663, respectfully report as follows: That House Bill No. 663 be amended in the introduced bill as follows:

1. Amend page 2, section 2, subsection (4), line 11.

Following: "sources,"

Insert: "for the production of electric power from solid wood wastes,"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Joint Resolution No. 19, respectfully report as follows: That House Joint Resolution No. 19 be amended in the introduced bill as follows:

1. Amend the title, page 1, lines 5 and 6.

Following: "directing"

Strike: "an amendment to"

Insert: "enforcement of"

2. Amend page 1, line 23.

Following: "to"

Strike: "amend"

Insert: "enforce"

3. Amend page 1, line 24.

Following: "to"

Strike: "add a"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 be amended in the Second Reading bill as follows:

1. Amend page 6, section 3 (3), line 1.

Following: "less than"

Strike: "thirty-six thousand (36,000)"

Insert: "forty-eight thousand (48,000)"

2. Amend page 6, section 3 (3), lines 1 and 2.

Following: "pounds,"

Strike: "one hundred dollars (\$100)"

Insert: "two hundred dollars (\$200)"

3. Amend page 6, section 3 (4), lines 4 and 5.

Following: "is"

Strike: "thirty-six thousand (36,000)"

Insert: "forty-eight thousand (48,000)"

4. Amend page 6, section 3 (4), line 5.

Following: "more,"

Strike: "two hundred dollars (\$200)"

Insert: "one thousand dollars (\$1,000)"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Joint Resolution No. 64, respectfully report as follows: That House Joint Resolution No. 64 do not pass.

W. BAETH, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 694, respectfully report as follows: That House Bill No. 694 do not pass.

W. BAETH, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 432, respectfully report as follows: That House Bill No. 432 do not pass.

YARDLEY, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do not pass.

YARDLEY, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 do not pass.

YARDLEY, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 do not pass.

YARDLEY, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 do not pass.

YARDLEY, Chairman

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 424, respectfully report as follows: That House Bill No. 424 be amended in the introduced copy as follows:

1. Amend page 3, section 2, subsection (8), line 15.

Following: "guardian"

Strike: "or"

Insert: "of"

2. Amend page 4, section 4, line 9.

Following: "in"

Insert: "such"

3. Amend page 4, section 4, line 10.

Following: "and"

Insert: "such"

4. Amend page 4, section 4, line 11.

Following: "business"

Insert: "as is"

5. Amend pages 5, 6, and 7, section 7, lines 3 through 25 on page 5; lines 1 through 25 on page 6; and 1 and 2 on page 7.

Strike: Section 7 in its entirety.

Insert: "Section 7. Transfer of fiduciary relationships from affiliated banks to subsidiary trust companies. (1) Upon any subsidiary trust company being duly authorized to commence the business for which it is organized, such subsidiary trust company may file its verified application in the district court of the county in which its main office is located requesting that it be substituted, except as may be expressly excluded in such application, in every fiduciary capacity for each of its affiliated banks specified in the application, and each such specified affiliated bank shall join in such application. Such application shall indicate the county wherein the main office of each affiliated bank joining in the application is located and shall designate each fiduciary account existing at the date thereof with respect to which such subsidiary trust company requests substitution, but fiduciary capacities in other cases need not be listed. Such application shall additionally set forth, with regard to each existing fiduciary account designated therein, the name and address last known to the applicant of each person entitled to mailed notice of hearing thereon, to wit:

(a) in the case of an existing fiduciary account which may be revoked, terminated or amended, each person who, alone or together with others, is empowered to revoke, terminate or amend the same;

(b) in the case of an existing fiduciary account with respect to which

any person other than a court has the power to remove the corporate fiduciary, each person who, alone or together with others, is empowered to remove the corporate fiduciary;

(c) in the case of an existing fiduciary account which is an estate of a deceased person or which is a guardianship or conservatorship, to the clerk of the court in which such estate, guardianship or conservatorship matter is pending;

(d) in the case of an existing fiduciary account not described in any of the foregoing subparagraphs, to each income beneficiary of such account and to each beneficiary who, were such account terminated at the date of the application respecting such account, would be entitled to share in distributions of income or principal thereof; and

(e) in the case of any existing fiduciary account wherein an affiliated bank specified in the application is acting with a co-fiduciary, to each such co-fiduciary at his last known address.

(2) When any such application shall have been filed, the clerk of the court where filed shall make an order fixing a date and time for hearing thereon and give notice thereof as hereinafter provided. The clerk of court shall cause a copy of such notice to be published at least once a week for three (3) successive weeks preceding the hearing date, the first such publication to be at least twenty-five (25) days preceding the hearing date, such publication to be in a newspaper of general circulation published in each county in which the main office of an affiliated bank specified in the application is located, or if in any case there be no such newspaper, then in a newspaper of general circulation published in a contiguous county. In addition, at least twenty-five (25) days preceding the hearing date, the clerk of the court shall cause a copy of such notice to be mailed by first class mail to each person identified in the application as being entitled to mailed notice under the provisions of this act, at his address last known to the applicant as set forth in the application.

(3) The notice to be published and mailed with respect to each such application shall state the time and place of the hearing thereon, the name of the subsidiary trust company which has filed the application, the name of each affiliated bank which has joined in such application, that the application requests that the subsidiary trust company be substituted in every fiduciary capacity for each of its affiliated banks specified in the application, and that any person beneficially interested in any affected fiduciary account may appear on or before the date of hearing and file his written objection to such substitution as to such affected fiduciary account, and such notice shall refer to such application for further particulars.

(4) On or before the date and time of hearing any such application, any person beneficially interested in any fiduciary account as to which substitution of the subsidiary trust company is requested, may appear and file objection to substitution on the sole ground that such subsidiary trust company is unfit to act with respect to such account, and shall be entitled to be heard with respect to such objection.

(5) On such date of hearing, upon finding that due notice has been given as required by this act and upon finding that the subsidiary trust company has been duly authorized to commence the business for which it is organized by the department of business regulation, or the controller of the currency if the subsidiary trust company is a national banking association, the district court shall enter an order substituting

the subsidiary trust company in every fiduciary capacity for each of its specified affiliated banks, excepting as may be otherwise specified in the application, and excepting fiduciary capacities in any account with respect to which an objection has been filed pursuant to this section and the district court has found facts requiring that such objection be allowed. Upon entry of such order, the subsidiary trust company shall, without further act, be substituted in every such fiduciary capacity. Such substitution may be made a matter of record in any county of this state by filing a certified copy of the order of substitution in the office of the clerk of any district court in this state or by filing a certified copy of such order in the office of the clerk and recorder of any county in this state to be by such officer recorded and indexed in like manner and with like effect as other orders and decrees of court are recorded and indexed.

(6) Each designation in a will or other instrument heretofore or hereafter executed of a bank as fiduciary shall be deemed a designation of the subsidiary trust company substituted for such bank pursuant to this section except where such will or other instrument is executed after such substitution and expressly negates the application of this section. Any grant in any such will or other instrument of any discretionary power shall be deemed conferred upon the subsidiary trust company deemed designated as the fiduciary pursuant to this section.

(7) A bank shall account jointly with the subsidiary trust company which has been substituted as fiduciary for such bank pursuant to this section for the accounting period during which the subsidiary trust company is initially so substituted. Upon substitution pursuant to this section, the bank shall deliver to the subsidiary trust company all assets held by the bank as fiduciary (except assets held for accounts with respect to which there has been no substitution pursuant to this section) and upon such substitution all such assets shall become the property of the subsidiary trust company without the necessity of any instrument of transfer or conveyance."

6. Amend pages 7 and 8, section 8, lines 3 through 25 on page 7 and lines 1 through 23 on page 8.

Strike: this section 8 in its entirety.

Insert: a new section 8.

"Section 8. Transfer of fiduciary relationships between affiliated banks. (1) Any bank which has received approval, pursuant to section 6 to maintain a trust office in the same building with the main office of any affiliated bank may file its verified application in the district court of the county in which its main office is located requesting that it be substituted, except as may be expressly excluded in such application, in every fiduciary capacity for such affiliated bank, and such affiliated bank shall join in such application. Such application shall indicate the county wherein the main office of such affiliated bank is located and shall designate each fiduciary account existing at the date thereof with respect to which the applicant bank requests substitution, but fiduciary capacities in other cases need not be listed. Such application shall additionally set forth, with regard to each existing fiduciary account designated therein, the name and address last known to the applicant of each person entitled to mailed notice of hearing thereon, who shall be those persons specified in subsections (a) to (e), inclusive, of section 7.

(2) When any such application shall have been filed, the clerk of the court where filed shall make an order fixing a date and time for hearing

thereon and shall cause notice thereof to be given by publication and mailing in the manner required by section 7.

(3) The notice to be published and mailed with respect to each such application shall state the time and place of the hearing thereon, the name of the bank which has filed the application, the name of the affiliated bank which has joined in such application, that the application requests that the applicant bank be substituted in every fiduciary capacity for the affiliated bank specified in the application, and that any person beneficially interested in any affected fiduciary account may appear on or before the date of hearing and file his written objection to such substitution as to such affected fiduciary account on the sole ground that the applicant bank is unfit to act with respect to such affected fiduciary account, and such notice shall refer to such application for further particulars.

(4) On or before the date and time of hearing any such application, any person beneficially interested in any fiduciary account as to which substitution of the applicant bank is requested, may appear and file objection to substitution on the sole ground that such applicant bank is unfit to act with respect to such account, and shall be entitled to be heard with respect to such objection.

(5) On such date of hearing, upon finding that due notice has been given as required by this act and upon finding that the applicant bank has received the requisite approval from the department of business regulation, or the comptroller of the currency if the applicant bank is a national banking association, the district court shall enter an order substituting the applicant bank in every fiduciary capacity for the affiliated bank designated in the application, excepting as may be otherwise specified in the application, and excepting fiduciary capacities in any account with respect to which an objection has been filed pursuant to this section and the district court has found facts requiring that such objection be allowed. Upon entry of such order, the applicant bank shall, without further act, be substituted in every such fiduciary capacity. Such substitution may be made a matter of record in any county of this state by filing a certified copy of the order of substitution in the office of the clerk of any district court in this state or by filing a certified copy of such order in the office of the clerk and recorder of any county in this state to be by such officer recorded and indexed in like manner and with like effect as other orders and decrees of court are recorded and indexed.

(6) Each designation in a will or other instrument heretofore or hereafter executed of a bank as fiduciary shall be deemed a designation of the applicant bank substituted for such bank pursuant to this section except where such will or other instrument is executed after such substitution and expressly negates the application of this section. Any grant in any such will or other such instrument of any discretionary power shall be deemed conferred upon the applicant bank deemed designated as the fiduciary pursuant to this section.

(7) A bank shall account jointly with the applicant bank which has been substituted as fiduciary for such bank pursuant to this section for the accounting period during which the applicant bank is initially so substituted. Upon substitution pursuant to this section, the affiliated bank for which substitution has been made shall deliver to such applicant bank all assets held by such affiliated bank as fiduciary (except assets held for accounts with respect of which there has been no substitution pursuant to this section) and upon such substitution all such

assets shall become the property of such applicant bank without the necessity of any instrument or transfer or conveyance."

7. Amend page 9, following line 5.

Insert: a new section 10 as follows:

"Section 10. Trust subsidiaries of unaffiliated banks and trust-correspondent relationships. Nothing in sections 2 to 8 shall be construed to prohibit or restrict any bank having its main office in this state from establishing a subsidiary which is a trust company or to prohibit or restrict any group of banks having their main office in this state from acting jointly to establish one or more trust companies. Further, nothing in sections 2 to 8 shall be construed as in any way limiting or restricting the ability of any bank having its main office in this state to establish a trust-correspondent relationship with any other bank having trust powers."

Renumber: the subsequent section.

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 460, respectfully report as follows: That House Bill No. 460 be amended in the introduced bill as follows:

1. Amend title, page 1, lines 6 and 7.

Following: "80-1414"

Strike: ", R.C.M. 1947; and repealing section"

Insert: "and"

2. Amend page 1, section 1, subsection (1), line 21.

Following: "A"

Strike: "complete"

3. Amend page 1, section 1, subsection (1), line 22.

Following: "of the"

Strike: "specific"

4. Amend page 2, section 1, subsection (2), line 2.

Following: "the youth"

Strike: "shall be given"

Insert: "is entitled to"

5. Amend page 2, section 1, subsection (2), line 4.

Following: "facility."

Insert: "The youth, upon advice of an attorney, may waive his right to a hearing."

6. Amend page 3, section 2, subsection (c), line 5.

Following: "violation"

Insert: ". Either party shall have the power to issue subpoenas to witnesses"

7. Amend page 3, section 2, subsection (f), line 9.

Following: "A"

Strike: "verbatim"

8. Amend page 3, section 2, subsection (f), line 9.

Following: "hearing"

Insert: "which may be taken by tape recorder and transcribed on appeal"

9. Amend page 3, section 2, subsection (3), lines 10 and 11.

Following: "appoint"

Strike: "impartial persons, none of whom may be employees"

Insert: "a referee who shall not be an employee"

10. Amend page 3, section 2, subsection (3), lines 11 through 13.

Following: "department"

Strike: ", to one or more administrative boards of review of not less than three (3) members,"

11. Amend page 3, section 2, subsection (4), line 21.

Following: "released."

Insert: "The referee shall give a written statement to the youth listing his decision and the reasons for his decision."

12. Amend page 4, section 2, subsection (6), line 17.

Following: "than"

Strike: "48"

Insert: "seventy-two (72)"

13. Amend page 4, section 3, line 18.

Following: "is"

Strike: "repealed"

Insert: "amended"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 be amended in the introduced bill as follows:

1. Amend title, page 1, line 7.

Following: "42-206,"

Insert: "and"

2. Amend title, page 1, line 8.

Following: "42-207,"

Strike: "and 42-301 through 42-309,"

3. Amend page 5, section 10, subsection (5), line 19.

Following: "section"

Strike: "2"

Insert: "19"

4. Amend page 8 section 13, subsection (c), line 19.

Following: "known"

Strike: "place of residence"

Insert: "address"

5. Amend page 9, section 14, subsection (2), line 8.

Following: "value"

Insert: "as determined by the landlord"

6. Amend page 11, section 18, subsection (2), line 16.

Following: "tenant"

Insert: "to his last known address"

7. Amend page 11, section 18, subsection (2), line 17.
Following: "amount due"
Strike: "fourteen (14)"
Insert: "not more than twenty-one (21) days"
8. Amend page 16, section 23, subsection (6), line 18.
Following: "not"
Strike: "deliberately or negligently"
9. Amend page 18, section 25, subsection (3), line 11.
Following: "least"
Strike: "two (2) days,"
Insert: "one (1) day"
10. Amend page 21, section 29, subsection (1), line 8.
Following: "than the"
Strike: "periodic rent"
Insert: "one (1) month rent"
11. Amend page 21, section 29, subsection (2), line 21.
Following: "by the"
Strike: "deliberate or negligent"
12. Amend page 23, section 30, subsection (4), line 2.
Following: "by the"
Strike: "deliberate or negligent"
13. Amend page 25, section 34, subsection (1), line 12.
Following: "tenant"
Insert: "either in person or by certified mail"
14. Amend page 30, section 42, subsection (2), lines 4 and 5.
Following: "damages"
Strike: "not less than an amount equal to one (1) month's rent"
15. Amend page 32, section 46, line 13.
Following: "42-206,"
Insert: "and"
16. Amend page 32, section 46, line 13.
Following: "42-207,"
Strike: "and 42-301 through 42-309,"
17. Amend page 32, section 48, line 20.
Following: "act"
Strike: "becomes"
Insert: "is"

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 528, respectfully report as follows: That House Bill No. 528 be amended in the introduced bill as follows:

1. Amend page 2, section 4, subsection (c), lines 9 through 11.
Following: "by the"
Strike: "board of county commissioners but not less than ten thousand dollars (\$10,000) per year"
Insert: "district court judge"

2. Amend page 2, section 5, line 19.

Following: "located in"

Strike: "the courthouse of"

3. Amend page 2, section 5, line 20.

Following: "appropriate"

Strike: "county"

Insert: "district"

4. Amend page 2, section 5, lines 20 and 21.

Following: "open"

Strike: "during all judicial days and during regular office hours"

Insert: "as required by the district judge"

5. Amend page 4, section 9, subsection (2), lines 17 and 18.

Strike: Subsection (2) in its entirety.

Renumber: subsequent subsections.

6. Amend page 6, section 11, line 4.

Following: "complaint"

Strike: " "

Insert: "/affidavit"

7. Amend page 7, section 11, line 7.

Insert: "order of the court/"

[Special Note: the caption will now read: order of the court/notice to defendant]

8. Amend page 10, section 18, lines 21 through 23.

Following: "judgement."

Strike: "If a jury is empaneled, it shall try all issues of fact, and in such case there shall be a court reporter."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 613, respectfully report as follows: That House Bill No. 613 do not pass.

HUENNEKENS, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 62, respectfully report as follows: That Senate Bill No. 62 be concurred in.

BRAND, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 46, respectfully report as follows: That Senate Bill No. 46 be concurred in.

BRAND, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 36, respectfully report as follows: That Senate Bill No. 36 be concurred in.

BRAND, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 617, respectfully report as follows: That House Bill No. 617 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following: "hold"

Insert: "registered"

2. Amend page 1, section 1, line 10.

Following: "that"

Insert: "registered"

3. Amend page 1, section 1, line 12.

Following: "Because"

Insert: "registered"

4. Amend page 1, section 1, line 15.

Following: "hold"

Insert: "registered"

5. Amend page 1, section 2, line 20.

Following: "charging a"

Insert: "registered"

6. Amend page 2, section 2, subsection (2), line 2.

Following: "against a"

Insert: "registered"

7. Amend page 2, section 2, subsection (4) (a), line 19.

Following: "the"

Insert: "registered"

8. Amend page 2, section 2, subsection (4) (b), line 20.

Following: "of the"

Insert: "registered"

9. Amend page 2, section 2, subsection (4) (c), line 22.

Following: "the"

Insert: "registered"

10. Amend page 2, section 2, subsection (4) (d), line 24.

Following: "the"

Insert: "registered"

11. Amend page 3, section 2, subsection (5), line 7.

Following: "of the"

Insert: "registered"

12. Amend page 3, section 2, subsection (7), line 17.

Following: "against a"

Insert: "registered"

And as amended, do not pass.

HUENNEKENS, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 676, respectfully report as follows: That House Bill No. 676 do pass.

MENAHAN, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 691, respectfully report as follows: That House Bill No. 691 do pass.

MENAHAN, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 490, respectfully report as follows: That House Bill No. 490 do pass.

MENAHAN, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 50, respectfully report as follows: That House Joint Resolution No. 50 do pass.

MENAHAN, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 615, respectfully report as follows: That House Bill No. 615 do pass.

KIMBLE, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 649, respectfully report as follows: That House Bill No. 649 do pass.

MENAHAN, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 551, respectfully report as follows: That House Bill No. 551 do pass.

MENAHAN, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 525, respectfully report as follows: That House Bill No. 525 be amended in the introduced bill as follows:

1. Amend page 1, section 1, lines 10 through 19.

Following: "students."

Strike: "If the academic calendar of an institution of higher education cannot be readjusted to compensate for academic days lost due to work stoppage, strike, or other disruption of normal academic processes by the professional educational employees without causing hardship on students involved in seeking summer employment, tuition, fees, and assessments excepting student activity fees, shall be refunded to the individual students on a pro rata basis. In determining the amount refunded, the following formula shall be used"

Insert: "If the normal academic processes of an institution of higher learning are interrupted by strike or work stoppage for a period exceeding five (5) academic days; tuition, fees and assessments excepting the student activity fee shall be credited to the individual student, with the exception of the non-returning student who may be refunded in the equivalent amount in cash. A pro rata basis using the following formula shall be applied to determine the amount of the refund or credit"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408, be amended in the introduced bill as follows:

1. Amend page 10, section 7, line 25.

Following: "required"

Strike: "[penalty for operating]"

Insert: "penalty for operating"

2. Amend page 11, section 7, line 1.

Strike: "[without license] penalties for violation of this act"

Insert: "without license"

3. Amend page 11, section 7, subsection (1), lines 5 through 12.

Following: "by examination"

Strike: the remainder of subsection (1) in its entirety.

Insert: "to perform the duties of an engineer, and received a license so to act. Any person who operates any boiler or steam engine without first obtaining a license is guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than sixty (60) days, or by both such fine and imprisonment."

4. Amend section 7, subsection (2), page 11, lines 13 through 25, page 12, lines 1 through 25, and page 13, lines 1 through 4.

Strike: this subsection (2) in its entirety.

5. Amend page 13, section 8, subsection (1), line 9.

Following: "boilers"

Strike: ", "

Insert: "and"

6. Amend page 13, section 8, subsection (1), line 10.

Following: "machinery"

Strike: ", and air compressors"

7. Amend page 17, section 11, line 10.

Following: "boiler"

Strike: ", "

Insert: "or"

8. Amend page 17, section 11, line 10.

Following: "machinery"

Strike: ", or air compressor"

9. Amend page 17, section 11, line 17.

Following: "boiler"

Strike: ", "

Insert: "or"

10. Amend page 17, section 11, line 18.

Following: "machinery"

Strike: ", or air compressor"

11. Amend page 26, following line 11.

Insert: a new section 20 to read as follows and renumber the subsequent section:

"Section 20. Licensing of low-pressure boilers. Boilers requiring a low-pressure licensed operator shall be attended by the licensed operator through one (1) complete on-off cycle, (or for not less than a fifteen (15) minute period for boilers using solid fuels), at the beginning of each shift in occupied public and industrial buildings or other areas of assembly, and the licensed operator shall then check the operation of the automatic controls including water level, feed water, low water fuel cut-off, fuel train, etc. Safety or relief valves shall be manually tested at least once every thirty (30) days. Boilers manually fired with solid or gaseous fuels must be attended by the licensed operator at all times that the boiler is fired."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

KIMBLE, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 554, respectfully report as follows: That House Bill No. 554 do not pass.

KIMBLE, Chairman

February 25, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 611, respectfully report as follows: That House Bill No. 611 be amended in the introduced bill as follows:

1. Amend page 2, section 1, line 8.

Following: "for public"

Strike: "employees,"

Insert: "employer's"

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 657, respectfully report as follows: That House Bill No. 657 do pass.

MENAHAN, Chairman

Report adopted.

Objection raised by Kemmis on the adverse committee report on House Bill No. 628. Referred to Second Reading.

Objection raised by Vincent on the adverse committee report on House Bill No. 617. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

February 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 76, introduced by Greely (by request of Governor) Watt, Romney

Senate Bill No. 186, introduced by Romney, Jergeson

Senate Bill No. 260, introduced by Colberg

Senate Bill No. 297, introduced by Blaylock, Conover, Regan, et al

Senate Bill No. 318, introduced by McOmber, Story

Senate Bill No. 321, introduced by McOmber, Hazelbaker, Story, et al

Senate Bill No. 370, introduced by Devine (by request of Department of Revenue)

Senate Bill No. 375, introduced by Drake, Lynch, Flynn, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 187, introduced by Jack Moore.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 246, introduced by R. Smith, Regan, Norman, et al

Senate Bill No. 283, introduced by Seibel, Boylan, Warden, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 167, introduced by Lynch, Quilici, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Huennekens moved that the House reconsider its action in failing to pass House Bill No. 319 on Third Reading this day and return it to Second Reading this day.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 25, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 461, respectfully report as follows: That House Bill No. 461 be amended in the introduced bill as follows:

1. Amend the title, page 1, lines 10 and 11.

Following: "balance;"

Strike: "providing a new method for voluntary payments"

Insert: "replacing chargeback factor with quarterly payroll decline factor"

2. Amend section 1, subsection (c)(3), page 6, line 25 and page 7, line

1.

Following: "and (3)"

Strike: "chargebacks to the individual employer account upon the last employer basis"

Insert: "average quarterly percentage declines in total payrolls for the last three (3) years prior to computation date"

3. Amend page 7, section 1, subsection (c)(3), following line 3.

Insert: a new paragraph as follows:

"Wages shall be adjusted in the determination of the annual and quarterly decrease percentages of any employer's payroll in whose factory or establishment there was in any year in the qualifying period of such employer, a stoppage of work due to a strike which caused a decrease in such employer's payroll of such magnitude that his actual quarterly and annual payroll caused by such a decrease or decreases when used with other annual and quarterly payroll decreases, if any, in his qualifying period would cause an increase in such employer's contribution rate. An employer's adjusted quarterly payroll for that quarter in which such stoppage of work existed shall be determined by multiplying each such payroll or adjusted payroll for the quarter immediately preceding the quarter in which such stoppage of work existed by the average quarterly variation ratio. The average quarterly variation ratio shall be computed by:

(1) dividing the payroll, or if adjusted, the adjusted payroll, for that quarter in each of the prior years of an employer's qualifying period which corresponds to the respective quarter in which a stoppage of work due to a strike existed, by the payroll or adjusted payroll for the respective quarter immediately preceding such corresponding quarter, and

(2) totaling the ratio thus obtained and dividing by the number of such ratios."

4. Amend page 10, section 1, subsection (c)(3), lines 16 through 25, and page 11, lines 1 through 4.

Strike: this subsection (3) in its entirety, and renumber the subsequent subsections accordingly.

5. Amend page 13, section 1, present subsection (c)(4), line 10.

Following: "contributions,"

Strike: "benefit"

Insert: "payroll"

6. Amend page 13, section 1, subsection (c)(7), lines 22 through 25, and page 14, lines 1 through 10.

Strike: this subsection (c)(7) in its entirety.

And as amended, do pass.

KIMBLE, Chairman

Report adopted.

Objection raised by Richards on the adverse committee report on House Bill No. 694. Referred to Second Reading.

Objection raised by Richards on the adverse committee report on House Joint Resolution No. 64. Referred to Second Reading.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 32 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 91.

Noes: Gunderson. Total 1.

Excused: Hager. Total 1.

Absent or not voting: Meloy, Quilici, Sloan, Thomas, Tropila, Wood, Yardley. Total 7.

Senate Amendments to House Bill No. 67 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Hager. Total 1.

- Absent or not voting: Gilligan, Meloy, Murphy, Quilici, Shelden, Sloan, Tropila, Wood. Total 8.

House Bill No. 80 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, McFadden, Magone, Meloy, Menahan, James Moore, Murphy, Palmer, Richards, Robbins, Scully, Shelden, South, Staigmillier, Stoltz, Teague, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 51.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Conroy, Dassinger, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Johnston, Kelly, Kropp, Kvaalen, Lockrem, Lory, Lund, Lynch, Manuel, Marks, Mercer, Jack Moore, Mular, O'Connell, Quilici, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 45.

Paired: Driscoll, Meloy, Ayes; Hager, Quilici, Noes.

Excused: None.

Absent and not voting: Halvorson, Sloan, Thomas, Tropila. Total 4.

House Bill No. 562 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 71.

Noes: Aageson, Asher, R. Baeth, Bardanouve, Conroy, Ellerd, Ellison, Gerke, Gould, Guthrie, Hubing, Kelly, Kropp, Kummerfeldt, Lockrem, Lynch, McFadden, Magone, Marks, Mercer, Jack Moore, O'Connell, Sivertsen, Smith, Wyrick. Total 25.

Excused: Hager. Total 1.

Absent or not voting: Quilici, Sloan, Tropila. Total 3.

House Bill No. 629 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: Babcock, Barrett, Brand, Conroy, Day, Ellison, Gould, Jack Moore, Schye, Seifert, Sivertsen, Smith, Staigmiller, Underdal, Wyrick. Total 15.

Excused: Hager. Total 1.

Absent or not voting: Quilici, Tropila, Wood. Total 3.

House Joint Resolution No. 35 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 87.

Noes: Guthrie, Mercer, Jack Moore, Smith, Wyrick. Total 5.

Excused: Hager. Total 1.

Absent or not voting: Ellison, Fabrega, Jacobsen, Quilici, Schye, Tropila, Wood. Total 7.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

James Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 25, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 111 do pass. (75-10)

That House Bill No. 129 do not pass. (72-17)

That House Bill No. 331 be passed to the bottom of the board.

That House Bill No. 349 do pass. (80-9)

That House Bill No. 370 do pass. (82-1)

That House Bill No. 382 do not pass. (57-40)

That House Bill No. 409 be amended as follows:

1. Amend page 1, section 1, line 13.

Following: "(1)"

Strike: "Municipality"

Insert: "'Municipality'"

2. Amend page 1, section 1, line 14.

Strike: "shall mean"

Insert: "means"

3. Amend page 1, section 1, line 15.

Following: "(2)"

Strike: "Project shall mean"

Insert: "'Project' means"

4. Amend page 1, section 1, line 22.

Following: "(3)"

Strike: "Governing body shall mean"

Insert: "'Governing body' means"

5. Amend page 1, section 1, line 25.

Following: "(4)"

Strike: "Mortgage shall mean"

Insert: "'Mortgage' means" (82-0)

And as amended, do pass. (70-22)

That the Committee rise and report and beg leave to sit again.

JAMES MOORE, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 626, respectfully report as follows: That House Bill No. 626 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), line 20.

Following: "act."

Insert: "(a)"

2. Amend page 1, section 1, subsection (2)(a), line 22.

Strike: "(a)"

Insert: "(i)"

3. Amend page 1, section 1, subsection (2)(b), line 23.

Strike: "(b)"

Insert: "(ii)"

4. Amend page 1, section 1, subsection (2)(c) and (d), lines 24 and 25 and page 2, subsection (2)(e), line 1.

Strike: subsections (c), (d) and (e) in their entirety.

Insert: "(b) the governor shall appoint:

(i) one (1) member from a list of three (3) submitted by the Montana association of counties;

(ii) one (1) member from a list of three (3) submitted by the county clerk and recorder's association."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 646, respectfully report as follows: That House Bill No. 646 be amended in the introduced bill as follows:

1. Amend title, page 1, line 4 and 5.

Following: "provide"

Strike: "that one member of"

Insert: "qualifications for"

2. Amend title, page 1, line 5.

Following: "pardons"

Strike: "serve full-time and that"

Insert: "and place"

3. Amend title, page 1, line 7.

Following: "parole"

Strike: "be transferred to"

Insert: "in"

4. Amend page 1, section 1, subsection (2), line 19.

Following: "members"

Insert: "at least one of whom shall have a master's degree in either sociology, criminology, psychology, cultural anthropology, political science, social work, guidance and counseling, or related discipline, and at least one of whom shall have particular knowledge of Indian culture and problems."

5. Amend page 1, section 1, subsection (3), lines 20 and 21.

Strike: subsection (3) in its entirety.

6. Amend page 2, section 3, subsection (2), line 16.

Following: "least"

Strike: "once"

Insert: "twice"

7. Amend page 2, following line 19.

Insert: a new section 4 as follows and renumber subsequent sections.

"Section 4. There is a new R.C.M. section that reads as follows:

Qualifications of probation and parole officers. Probation and parole officers shall have at least a college degree and shall have received at least some formal training in behavioral sciences. Exceptions to this rule must be approved by the department. All present employees will be exempt from this requirement but are encouraged to further their education at the earliest opportunity."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 be amended in the introduced bill as follows:

1. Amend page 3, section 1, subsection (3)(c), line 25; and on page 4, line 1.

Following: "more than"

Strike: "twenty (20)"

Insert: "six (6)"

2. Amend page 4, section 1, subsection (3)(c), line 6.

Following: "section"

Insert: ", and other than transmission pipelines constructed to replace, modify, interconnect, extend or loop existing pipelines or needed to join one or more new wells located in Montana or in a contiguous state or Canadian province to an existing oil or gas pipeline to provide new service or service extension to customers or shippers. Said interconnecting and looping transmission lines as excluded hereby shall not exceed one hundred (100) miles in length"

3. Amend page 4, section 1, subsection (4)(e), line 10.

Following: "track"

Strike: "at least one (1) mile in length."

Insert: "more than thirty (30) miles in length, which is not within the purview of the Strip Mine Siting Act or the construction of which was commenced before January 1, 1975."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 659, respectfully report as follows: That House Bill No. 659 be amended in the introduced copy as follows:

1. Amend title, page 1, line 6.

Following: "state"

Strike: "or federal government"

2. Amend page 7, section (5), line 18.

Following: "state"

Strike: "or federal government"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 be amended in the introduced bill as follows:

1. Amend page 6, section 1, subsection (4), line 24.

Following: "The"

Strike: "application"

Insert: "applicant"

2. Amend page 6, section 1, subsection (4), line 24.

Following: "also"

Strike: "contain detailed"

Insert: "tender"

3. Amend page 7, section 1, subsection (4)(a), lines 1 and 2.

Following: "exists a"

Strike: "specific, geographically defined, and"

4. Amend page 7, section 1, subsection (4)(a), line 2.

Following: "for the"

Strike: "amount, cost, and quality of the"

5. Amend page 7, section 1, subsection (4)(b), line 4.

Following: "(b)"

Strike: "responsible"

6. Amend page 7, section 1, subsection (4)(b), lines 5 and 6.

Following: "institute"

Strike: "in the immediate future effective"

Insert: "all feasible"

7. Amend page 7, section 1, subsection (4)(b), lines 6, 7, and 8.

Following: "measures"

Strike: "to insure that the coal will not be utilized in a wasteful or profligate manner"

8. Amend page 7, section 1, subsection (4)(c), line 9.

Following: "(c)"

Strike: "the"

Insert: "any adverse"

9. Amend page 7, section 1, subsection (4)(c), line 10.

Following: "existing"

Strike: "western or eastern"

10. Amend page 7, section 1, subsection (4), lines 14 through 17.

Strike: subsection (d) in its entirety.

Insert: "(d) that every feasible effort has been made to analyse and mitigate any disruptive socio-economic impacts in the geographical area of the mining activities, including but not limited to the impact on agricultural activities and schools; and"

11. Amend page 7, section 1, subsection (4), following line 21.

Insert: a new paragraph as follows:

"The department may approve, modify, or deny a permit based on information submitted in section 1, subsection (4), (a) through (e) of this act."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 435, respectfully report as follows: That House Bill No. 435 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following: "home"

Strike: "classed as an improvement"

2. Amend title, page 1, line 6.

Following: "tax"

Strike: "in"

Insert: "at"

3. Amend title, page 1, line 6.

Following: "same"

Strike: "manner"

Insert: "time"

4. Amend page 1, section 1, lines 9 through 14.

Strike: section 1 in its entirety.

Insert: "Section 1. Section 84-4202, R.C.M. 1947, is amended to read as follows:

'84-4202. Duty of treasurer. The county treasurer must collect taxes on all personal property, and in the case provided in the preceding section, it shall be the duty of the treasurer immediately upon receipt of the report prescribed by section 84-4201, R.C.M. 1947, to notify the person or persons against whom the tax is assessed that the amount of such tax is due and payable at the county treasurer's office. The county treasurer must, at the time of receiving the report; and in any event within thirty (30) days from the receipt of such report, levy upon and take into his possession such personal property against which a tax is assessed, or any other personal property in the hands of the delinquent taxpayer, and proceed to sell the same, in the same manner as property is sold on execution by the sheriff, and the county treasurer may for the purpose of making such levy and sale, direct the sheriff to make such levy and sale, and the sheriff, undersheriff, or any deputy sheriff of such county is, ex officio, a deputy county treasurer for such purposes, and either may act and receive payment of such taxes. Such sheriff shall be entitled to receive the same fees as he is entitled to in making a seizure and sale under execution.

The county treasurer and his sureties are liable on his official bond for all taxes on personal property remaining uncollected by reason of the willful failure and neglect of such treasurer to levy upon and sell such personal property for the taxes levied thereon.

The tax on such personal property may be collected and the payment thereof enforced by the seizure and sale of any personal property in the possession of the person assessed at any time after the date the assessment is made or by the institution of a civil action for its collection in any court of competent jurisdiction; provided, however, that a resort to any one of the methods as herein provided for, shall not bar the right to resort to either or both of the other methods, but that any or all of the methods herein provided for may be used until the full amount of such tax is collected.

The county shall have a general lien, dependent on possession, upon any moneys in its possession belonging to any taxpayer, for any amounts due said county for any delinquent personal property taxes not a lien on real estate, of said taxpayer; provided, however, that due notice must be given the lien holder, if any.

Notwithstanding the thirty (30) day limitation prescribed in this section and upon proper notice by the treasurer, an owner of a mobile home shall pay the tax assessed on that mobile home at the same times as an owner of realty pays taxes on that realty."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

Objection raised by Palmer on the adverse committee report on House Bill No. 613. Referred to Second Reading.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 543 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Thomas, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Mr. Speaker. Total 79.

Noes: Teague. Total 1.

Excused: Hager. Total 1.

Absent or not voting: J. Anderson, Barrett, Bradley, Casey, Ellerd, Ellis, Fishbaugh, Gould, Hageman, Helmbrecht, Huennekens, James Moore, Palmer, Schye, Sivertsen, Smith, Travis, Williams, Yardley. Total 19.

House recessed.

House resumed at 8:00 p.m. Mr. Speaker in the Chair.

MESSAGE FROM THE OTHER HOUSE

February 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

House Amendments to Senate Bill No. 68, introduced by Galt, Manley, Jergeson, et al, were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson,
Secretary of the Senate

REPORTS OF STANDING COMMITTEES

February 25, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 692, 602, 274, 395, 586, 234, 642, 27, 519, 682.

QUILICI, Chairman

February 25, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bills Nos. 190, 492, 568.

QUILICI, Chairman

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

James Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 25, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Lockrem replaces Moore in the Chair.

That House Bill No. 436 do pass. (79-10)

That House Bill No. 488 be passed to the bottom of the board.

That House Bill No. 496 do pass. (74-3)

That House Bill No. 509 do pass. (84-1)

That House Bill No. 513 do not pass. (53-46)

That House Bill No. 540 do pass. (54-29)

That House Bill No. 592 do pass. (55-35)

That House Bill No. 605 do pass. (60-23)

James Moore replaces Lockrem in the Chair.

That House Bill No. 612 do pass. (52-33)

That House Bill No. 624 be passed for the day.

That House Bill No. 625 be amended as follows:

1. Amend page 2, section 2, line 1.

Strike: "direct"

Strike: "intervention"

Following: "governmental"

Insert: "advice" (70-0)

And be further amended:

2. Amend page 4, section 5, line 6.

Strike: "active public interest group." (67-0)

And as amended, do pass. (56-40)

That House Bill No. 664 be amended as follows:

1. Amend page 2, section 1, subsection (2), line 25.

Strike: "shall constitute"

Insert: "must be construed as" (86-0)

And as amended, do pass. (94-3)

That House Bill No. 678 do pass. (85-1)

That House Bill No. 630 be amended as follows:

1. Amend page 1, section 1, subsection (1)(b), line 15.

Following: "months,"

Strike: "and"

2. Amend page 1, section 1, subsection (1)(c), line 16.

Following: "dues"

Insert: "; and"

3. Amend page 1, section 1, following line 16.

Insert: a new subsection (d) as follows:

"(d) no union members are available for employment."

4. Amend page 1, section 1, following line 22.

Insert: a new subsection (4) as follows:

"(4) No employer may employ more than one (1) student per journeyman employed." (78-7)

Lockrem requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion that House Bill No. 630 do pass failed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Driscoll, Ellerd, Ellison, Fabrega, Fagg, Guthrie, Hubing, Johnston, Kropp, Kvaalen, Lien, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wolfe, Wood, Wyrick. Total 33.

Noes: R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Dussault, Ellis, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Luebeck, Lynch, McFadden, McKittrick, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Yardley. Total 61.

Excused: Hager. Total 1.

Absent or not voting: Bardanouve, Federico, Fishbaugh, Hageman, Halvorson. Total 5.

Thereupon, that House Bill No. 630 do not pass. (60-32)

That House Bill No. 8 do pass. (82-12)

That House Bill No. 95 do pass. (79-14)

That the Committee rise and report.

JAMES MOORE, Chairman

Harper moved that House Bill No. 513 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 be amended in the introduced bill as follows:

1. Amend page 1, section 2, line 25.

Following: "(1)"

Strike: "Ten"

Insert: "Five"

2. Amend page 2, section 2, line 1.

Following: "percent"

Strike: "(10%)"

Insert: "(5%)"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 559, respectfully report as follows: That House Bill No. 559 be amended in the introduced bill as follows:

1. Amend title, page 1, line 10.

Following: "84-429.7,"

Strike: "84-429.11,"

2. Amend page 2, section 2, line 17.

Following: "appeals"

Strike: "—exception"

3. Amend page 3, section 2, lines 13 through 17.

Following: "courts"

Strike: all remaining material in section 2.

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 672, respectfully report as follows: That House Bill No. 672 be amended in the introduced bill as follows:

1. Amend the title, page 1, line 11.

Following: "usage"

Insert: "; and providing an effective date"

2. Amend page 2, section 2, subsection (5), line 14.

Strike: "reduced"

Insert: "supplements"

3. Amend page 2, section 2, subsection (5), line 14.

Following: "and"

Strike: "unnecessary governmental regulation,"

4. Amend page 2, section 2, subsection (5), line 18.

Following: "re-evaluated"

Insert: "and one which would aid unnecessary governmental regulations"

4a. Amend page 3, section 4, subsection (1), line 24.

Following: "as"

Strike: "permanent"

5. Amend page 3, section 4, subsection (1), line 25, and page 4, lines 1 and 2.

Following: "residents"

Strike: ". The land density value shall be based on any combination of land area to bring about the largest possibility of residents per acre."

Insert: "per acre. In determining densities under the provisions of this act it shall be taken on the number of acres of the proposed development or portion of land developed plus the average density of the land adjoining the property and extending beyond it three hundred (300) feet in each direction."

6. Amend page 6, section 4, subsection (13), lines 7 and 8.

Following: "value"

Strike: "means actual value less forty percent (40%)"

Insert: "means that value determined under Title 84, R.C.M. 1947, for land and improvements"

7. Amend page 18, section 10, subsection (1), line 18.

Following: "two"

Insert: "and as such receive tax credits in addition to those listed under any other portion of this act"

8. Amend page 19, section 10, subsection (4), line 1.

Following: "land"

Strike: "would have if it were class B"

Insert: "so long as it remains class A"

9. Amend page 19, section 10, subsection (5), lines 16 through 18.

Following: "assigns,"

Strike: "may petition the department for reclassification into another category at any time, which petition shall be granted."

Insert: "shall agree that in addition to meeting the standards of section 10, subsection (4) of this act that they further would agree to allow public camping and overnight stay upon their property in designated locations without charge."

(6) The department of revenue, in addition to any other tax schedule placed on the land, shall reduce the previously appraised value of class

A land on that portion assigned recreation by a value of forty percent (40%) and shall thereafter maintain such appraisals at sixty percent (60%) of the land so long as it remains class B."

10. Amend page 20, section 11, subsection (1)(a), line 1.

Following: "densities to"

Insert: "a level ten percent (10%) higher than the property surrounding that expanded or remodeled based on a measurement of three hundred (300) feet from the property line of the piece of property being expanded or remodeled."

11. Amend page 21, section 11, subsection (2)(a)(ii), line 21.

Following and in form with the existing table: "14-½ mile limit"

Insert: ", measured from the four and one-half (4-½) mile limit of the nearest incorporated city in a direct line"

12. Amend page 22, section 11, subsection (2)(a)(iii), line 9.

Following and in form with the existing table: "14-½ mile limit"

Insert: ", measured from the four and one-half (4-½) mile limit of the nearest incorporated city in a direct line"

13. Amend page 22, section 11, subsection (3), line 16.

Following: "land"

Strike: "is"

14. Amend page 22, section 11, subsection (3), line 17.

Strike: "from is contiguous to"

15. Amend page 22, section 11, subsection (3), table, lines 18 through 24.

Strike:	" 0 - .10	Insert: " 0 - 1
	.10 - .20	1 - 3
	.20 - 1.0	3.1 - 9
	1.0 - 2.0	9.1 - 18
	2.0 - 3.0	18.1 - 36
	3.0 - 4.0	36.1 - 54
	4.0 - above"	54 and over"

16. Amend page 23, section 11, subsection (4), line 5.

Following: "land"

Strike: "is reclassified"

17. Amend page 23, section 11, subsection (4), line 6.

Strike: "from is contiguous to"

18. Amend page 23, section 11, subsection (4), table, lines 7 through 12.

Strike:	" 0 - .10%	Insert: "0 - 1
	.10 - .20%	1 - 3
	.20 - 1.0 %	3.1 - 9
	1.0 - 2.0 %	9.1 - 18
	2.0 - 3.0 %	18.1 - 36
	over 3.0%"	36.1 - 54"

19. Amend page 23, section 11, subsection (4), table following line 12.

Insert: "54 and over -25% -15%"

20. Amend page 25, section 12, subsection (4)(b), lines 8 through line 18.

Following: "period"

Strike: subsection (4)(b) in its entirety.

Insert: "The total cost of land and improvements developed as new commercial property shall be taxed as follows:

Commercial land location	Taxable schedule
(i) Land within and extending nine hundred (900) feet beyond that area designated by the governing authority as the central business district of a community.	Improvements shall be taxed in additional increments as follows: A ten percent (10%) increase in valuation per year until a total value for tax purposes is one hundred percent (100%) of value.
(ii) Land from that designation under subsection (4)(b)(i) and the corporate boundary or city limits.	Improvements shall be taxed in additional increments as follows: A thirty-three and one-third percent (33- $\frac{1}{3}$ %) increase in valuation per year until a total value for tax purposes is one hundred percent (100%) of value.
(iii) Land lying from the corporate boundary to the four and one-half (4- $\frac{1}{2}$) mile limit.	An increase in taxes over the normally assessed value of ten percent (10%) per year for a period of ten years unless given a waiver by the governing authority.
(iv) Land lying beyond the four and one-half (4- $\frac{1}{2}$) mile limit.	An increase in taxes over the normally assessed value of twenty-five percent (25%) per year for fifteen (15) years unless given a waiver by the governing authority."

21. Amend page 25, section 13, lines 19 through 23.

Following: line 19, bring the remaining lines out to the left margin in keeping with proper form.

22. Amend page 28, section 14, lines 5 through 12.

Following: line 4

Strike: the table in its entirety

Insert:	"CLASS A	CLASS B	CLASS C	CLASS D
Agricultural	+100	+30	+10	0
Recreational	+200	+100	+75	+50
Residential	+100	+30	+10	0
Commercial	+50	0	-10	-25
Industrial	+25	-10	-25	-50
Open Space	N.P.	N.P.	N.P.	N.P.

(N.P. - Not Permitted)"

23. Amend page 30, section 16, lines 22 through 25.

Strike: all material

Insert:

"Agricultural	+100	+75	+35	+25
---------------	------	-----	-----	-----

Recreational	+125	+85	+45	+25
Residential	+75	+50	+20	+10
Commercial	+50	+25	-15	-25"

24. Amend page 31, section 16, line 1.

Strike: all material on line 1.

Insert:

"Industrial +25 +10 -25 -50"

25. Amend page 33, following section 20, line 14.

Following: "act."

Insert: a new section 21, and renumber subsequent section.

"Section 21. Exemptions from act. Application to those over sixty-two (62) years of age and to those existing below poverty standards. No provision of this act which has a negative or adverse taxation effect shall apply to a private residence owned by a person or persons over sixty-two (62) years of age or those in an income bracket established by the federal government to be below poverty standards."

26. Amend page 33, following renumbered section 22, line 18.

Following: "affected."

Insert: a new section 23.

"Section 23. Any portion of this act shall be effective July 1, 1975, which affects property or land classified by and administered under current local zoning laws. All other property or land shall fall under the provisions of this act after the provisions of section 5 have been met."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 640, respectfully report as follows: That House Bill No. 640 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (1), line 13.

Following: "82A-108."

Insert: "However, the office may hire its own personnel, and section 82A-108(2)(d) does not apply."

2. Amend page 1, section 1, subsection (2), lines 16 through 19.

Following: "senate,"

Strike: "two (2) employees from state mental health institutions, and two (2) representatives of families with relatives who are institutionalized,"

3. Amend page 2, section 2, line 5.

Strike: "(1)"

4. Amend page 2, section 2, subsection (d), line 15.

Following: "institutions"

Insert: ", unless the patient selects another attorney"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, line 8.

Following: "city"

Insert: "or county"

2. Amend page 2, section 1, line 9.

Strike: "may"

Insert: "shall"

3. Amend page 2, section 1, line 9.

Following: "deducted from"

Strike: "the"

4. Amend page 2, section 1, lines 9 and 10.

Following: "funds"

Strike: "that city receives pursuant to the provisions of section 84-1840 (1)(B)."

Insert: "allocated from the earmarked revenue account for highways for nonconstruction programs of the department of highways"

5. Amend page 2, section 1, lines 19 through 23.

Strike: all remaining material in the bill, lines 19 through 23.

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Bill No. 282, respectfully report as follows: That House Bill No. 282 be amended in the introduced bill as follows:

1. Amend page 2, section 1, line 7.

Strike: "thirty-six dollars (\$36)"

Insert: "forty dollars (\$40)"

2. Amend page 3, section 2, subsection (2), line 5.

Following: "[dollars]"

Strike: "thirty-six dollars (\$36)"

Insert: "forty dollars (\$40)"

3. Amend page 3, section 2, subsection (3), lines 12 and 13.

Following: "salary and"

Strike: "thirty-six dollars (\$36)"

Insert: "forty dollars (\$40)"

4. Amend page 3, section 2, subsection (4)(b), line 22.

Following: "[expenses, and]"

Strike: "thirty-six dollars (\$36)"

Insert: "forty dollars (\$40)"

5. Amend page 5, section 5, line 1.

Following: "January 1,"

Strike: "1976"

Insert: "1977"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

LYNCH, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 652, respectfully report as follows: That House Bill No. 652 be amended in the introduced copy as follows:

1. Amend page 1, section 1, lines 19 through 22.

Following: "environment"

Strike: "to require that the subdivider assume financial responsibility for the completion of improvements and cost of services required by the subdivision;"

2. Amend page 5, section 2, lines 10 and 11.

Strike: "[(13) 'occasional sale' means one sale of a division of land within any twelve month (12) period.]"

Insert: "(13) 'occasional sale' means one sale of a division of land within any twelve month (12) period."

Renumber: subsequent subsection.

3. Amend page 8, section 3, subsection (6)(d), lines 10 and 11.

Strike: "[(d) a single division of a parcel when the transaction is an occasional sale.]"

Insert: "(d) a single division of a parcel when the transaction is an occasional sale."

4. Amend page 15, section 4, subsection (9), lines 20 through 25, and on page 16 lines 1 through 6.

Strike: all of subsection (9) and renumber subsequent subsections.

And as amended, do pass.

(Material in brackets denotes cancelled type.)

BRADLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 533, respectfully report as follows: That House Bill No. 533 be amended in the introduced bill as follows:

1. Amend title, page 1, line 7.

Following: "81-503"

Insert: "and 81-510"

2. Amend title, page 1, line 8.

Following: "1947"

Insert: "; and repealing Section 81-504, R.C.M. 1947"

3. Amend page 1, section 1, subsection (1), lines 21 through 25; and page 2, lines 1 through 4.

Following: "prescribes."

Strike: "Leases shall be awarded by competitive bidding (with sealed bids) on a bonus bidding system. Such leases shall run for ten (10) years, with one-tenth (1/10) of the accepted bonus bid payable upon acceptance of the bid and one-tenth (1/10) payable upon each anniversary date of the lease. The board may not accept bids submitted on a royalty bidding

basis. No bid shall be accepted for less than the fair market value, as determined by the board, of the coal subject to the lease."

4. Amend page 2, section 1, subsection (1), line 4.

Following: "issuing a"

Insert: "coal mining"

5. Amend page 2, section 1, subsection (1), line 6.

Following: "leased"

Insert: "for the purpose of determining the fair market value of any coal reserves located on the land"

6. Amend page 2, section 1, subsection (1), line 7.

Following: "evaluation."

Strike: "This power"

Insert: "Leases shall be awarded by a competitive bid system, including a bonus bid for the first year's rental, and no lease shall be awarded at less than fair market value. The authority to lease"

7. Amend page 2, section 1, subsection (1), lines 15 through 19.

Following: "lessee."

Strike: the remainder of subsection (1) in its entirety.

Insert: "Every coal lease shall be conditioned upon compliance with chapters 10 and 16, Title 50, R.C.M. 1947."

8. Amend page 3, section 2, lines 6 and 7.

Following: "form."

Strike: "No coal mining lease may be issued for more than"

Insert: "Coal mining leases shall be issued for a primary term of"

9. Amend page 3, section 2, line 8.

Following: "years,"

Insert: "and so long thereafter as coal is produced from such lands in commercial quantities."

10. Amend page 3, section 2, line 10.

Following: "[necessary.]"

Strike: "and the conditions of the lease are"

Insert: "The rental and royalty terms of each lease shall be"

11. Amend page 3, section 2, line 11.

Following: "readjustment"

Insert: "to reflect fair market value"

12. Amend page 3, section 2, line 13.

Following: "lease is"

Strike: "extended"

Insert: "producing coal in commercial quantities"

13. Amend page 3, section 2, line 13.

Following: "producing"

Strike: "in paying"

Insert: "coal in commercial"

14. Amend page 3, section 2, line 15.

Following: "terminated"

Insert: ", unless the leased lands are described in a strip mine permit issued under section 50-1039, R.C.M. 1947, or in a mine site location permit under section 50-1607, R.C.M. 1947, prior to the end of the primary term, and the lease shall not be terminated so long as said lands are covered and described under valid permit."

15. Amend page 3, section 2, line 15.

Following: "of this"

Strike: "section, 'paying'"

Insert: "chapter, 'commercial'"

16. Amend page 3, section 2, lines 16, 17 and 18.

Following: "which"

Strike: "would pay a profit to the lessee if he operated the mine and marketed the coal"

Insert: "can be sold at profit in the commercial market"

17. Amend page 3, section 3, line 22.

Following: "upon a"

Insert: "rental and"

18. Amend page 3, section 3, line 23.

Following: "board."

Insert: "The rental shall be on a per acre basis but in no case shall it be less than two dollars (\$2) per acre."

19. Amend page 4, section 3, line 7.

Following: "[pounds]"

Strike: "twenty percent (20%)"

Insert: "twelve percent (12%)"

20. Amend page 4, following line 8.

Insert: a new section 4 and a new section 5.

"Section 4. Section 81-504 is repealed.

Section 5. Section 81-510, R.C.M. 1947, is amended to read as follows:

'81-510. Disposition of royalties and other receipts. [The department shall credit fees and penalties collected under coal mining leases to the general fund, and rentals, royalties, and bonuses to the permanent fund arising from the grant to which the land under each particular lease belongs.] All fees, rentals, royalties and bonuses collected under state coal leases shall be paid to the department of state lands and credited as follows: All fees shall be credited to the state general fund, all rentals and bonuses shall be credited to the income fund of the grant to which the lands under each lease belong; all moneys collected as royalties shall be credited to the permanent fund arising from the grants the land under lease belongs."

Renumber: subsequent sections.

And as amended, do pass.

(Material in brackets denotes cancelled type.)

BRADLEY, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 670, respectfully report as follows: That House Bill No. 670 be amended in the introduced bill as follows:

1. Amend title, page 1, lines 4 and 5.

Following: "providing for"

Strike: "general political reform in matters concerning"

2. Amend title, page 1, lines 6, 7 and 8.

Following: "limits"

Strike: ", lobbying, conflicts of interest of elected and employed government personnel, and auditing of campaign reports and related matters"

3. Amend title, page 1, lines 8, 9 and 10.

Following: "penalties"

Strike: "providing for enforcement; amending sections 43-802, 43-803, and 43-805, R.C.M. 1947;"

4. Amend title, page 1, line 10.

Following: "repealing"

Strike: "sections 23-4727,"

5. Amend title, page 1, line 11.

Following: "23-4728,"

Strike: "and 43-806,"

6. Amend title, page 1, line 11.

Following: "1947"

Insert: ", and providing an effective date"

7. Amend page 1, section 1, line 14 through page 56, line 9.

Strike: all of the bill following the enacting clause.

Insert: "Section 1. Limitations on expenditures. Aggregate funds expended and obligations incurred by a candidate and any other person or organization, including a campaign treasurer, deputy campaign treasurer, political committee, or political party, on behalf of the nomination or election of the candidate (with the knowledge and authorization of the candidate or his campaign treasurer) for any of the offices enumerated below, may not exceed the following amounts:

(1) For candidates filed jointly for the offices of governor and lieutenant governor, the maximum allowable joint expenditure of funds by or on behalf of any such candidates shall be the following:

(a) For the primary election, an amount not to exceed sixty thousand dollars (\$60,000);

(b) For the general election, an amount not to exceed one hundred twenty thousand dollars (\$120,000).

(2) For candidates to be elected for office in a statewide election, other than governor and lieutenant governor, the maximum allowable expenditure of funds by or on behalf of any candidate shall be the following:

(a) For the primary election, an amount not to exceed fifteen thousand dollars (\$15,000);

(b) For the general election, an amount not to exceed thirty thousand dollars (\$30,000).

(3) For candidates to be elected to the office of public service commissioner, the maximum allowable expenditure of funds by or on behalf of any candidate shall be the following:

(a) For the primary election, an amount not to exceed five thousand dollars (\$5,000).

(b) For the general election, an amount not to exceed ten thousand dollars (\$10,000).

(4) For candidates to be elected to the office of district court judge, the maximum allowable expenditure of funds by or on behalf of any candidate shall be the following:

(a) For the primary election, an amount not to exceed two thousand five hundred dollars (\$2,500);

(b) For the general election, an amount not to exceed five thousand dollars (\$5,000).

(5) For candidates to be elected to the office of state senator, the maximum allowable expenditure of funds by or on behalf of any candidate shall be the following:

(a) For the primary election, an amount not to exceed seven hundred fifty dollars (\$750);

(b) For the general election, an amount not to exceed one thousand five hundred dollars (\$1,500).

(6) For candidates to be elected to the state house of representatives, the maximum allowable expenditure of funds by or on behalf of any candidate shall be the following:

(a) For the primary election, an amount not to exceed five hundred dollars (\$500);

(b) For the general election, an amount not to exceed one thousand dollars (\$1,000).

(7) Expenditures for a candidate's travel, food, and lodging are exempted from the expenditure limitation for candidates covered by subsections (3), (4), (5), and (6) of this section.

(8) Expenditures may be made directly by any political committee for obtaining time, space, or services in or by any communications medium for the purpose of jointly endorsing more than one (1) candidate, political committee, or issue. Such expenditures shall be considered expenditures on behalf of the several candidates, political committees, or issues equally divided among them.

(9) Payments made for the purpose of registering voters or for bringing voters to the polling place are not expenditures within the meaning of this act. This section does not affect the duty to disclose such payments under other requirements in law.

(10) Expenditures incurred by an independent committee for communication directed to its own members are not included within the limitations of this act. For purposes of this section, an independent committee means a committee which is not controlled either directly or indirectly by a candidate or a candidate's committee, and which does not act jointly with a candidate or a candidate's committee in conjunction with the making of expenditures.

Section 2. Aggregate expenditures in support of or in opposition to a statewide ballot issue shall not exceed the amounts set forth in section 1, subsection (2) (b) of this act.

Section 3. Penalty. (1) A person who violates any provision of this act is guilty of a misdemeanor, shall be prosecuted under section 23-4761, and upon conviction is subject to the penalties provided in section 23-4769.

(2) In addition, a person convicted of a misdemeanor under this act may not be a candidate for any elective office for four (4) years following conviction, unless the court at the time of sentencing specifically determines that the forfeiture provision is not applicable. A plea of no contest shall be considered a conviction for purposes of this section.

(3) A person violating subsection (2) of this section is guilty of a felony.

Section 4. Section 23-4728, R.C.M. 1947, is repealed.

Section 5. Effective date. This act shall become effective on January 1, 1976, and the limitations imposed by this act shall apply to all elections held after that date."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 be amended in the introduced bill as follows:

1. Amend page 2, section 2, line 4.

Following: "The"

Insert: "state"

2. Amend page 2, section 2, line 4.

Following "department"

Insert: "of social and rehabilitation services"

3. Amend page 2, section 2, line 21.

Following: "father"

Insert: ", or such claim was under duress or fraud"

4. Amend page 3, section 3, subsection (c), line 9.

Following "account of"

Insert: "abuse,"

5. Amend page 3, section 3, subsection (c), line 9.

Following: "child"

Insert: "as set forth in sections 10-1300 through 10-1322, R.C.M. 1947, as amended"

6. Amend page 6, section 4, subsection (4), lines 9 through 14.

Following: "(4)"

Strike: subsection (4) in its entirety.

Insert: "Except where the proceeding is instituted or commenced by a representative of the state department of social and rehabilitation services, a citation shall be issued and served upon a representative of the social and rehabilitation services prior to the court hearing to provide the court a report on the notice of intent to claim paternity filed concerning the child to be adopted. The report shall be incorporated in the files of the court case and it shall contain a certified copy of the notice if one has been filed."

7. Amend page 8, section 4, subsection (8), lines 23 through 25 and page 9, line 1.

Following: "order"

Strike: "is final upon entry and is not appealable except for fraud or duress. The order may not be appealed after placement of the child for adoption by any court in this or any other state."

8. Amend page 9, section 4, following line 7.

Insert: new sections 5 and 6 to read as follows:

"Section 5. Uniformity of application and construction. This act shall be applied and construed to effectuate its general purpose to make uni-

form the law with respect to the subject of this act among states enacting it.

Section 6. Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable."

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 be amended in the Second Reading bill as follows:

1. Amend page 6, section 7, subsection (3), line 12.

Following: "services or"

Insert: "its"

2. Amend page 6, section 7, subsection (3), line 13.

Following: "appropriate"

Strike: "county welfare department"

Insert: "local affiliate"

3. Amend page 8, section 8, following line 4.

Insert: "(3) After the conclusion of an adoption proceeding under chapter 2, Title 61, no further action to declare the existence or nonexistence of the father and child relationship of the adopted child may be commenced except as provided for in section 25 of this act for fraud, and section 61-206, R.C.M. 1947."

4. Amend page 9, section 11, subsection (1), line 16.

Following: "proceeding"

Strike: "or any portion thereof"

5. Amend page 9, section 11, subsection (1), lines 16 and 17.

Following: "shall be kept"

Strike: "if any party requests, or the court orders"

6. Amend page 19, section 25, subsection (1), line 20.

Following: "who has"

Insert: "or does not have"

7. Amend page 20, section 25, subsection (c), line 1.

Following: "the"

Insert: "presumed or natural"

8. Amend page 20, section 25, subsection (c), line 2.

Following: "the"

Strike: "adoption proceeding and have the"

Insert: "court hearing to determine their"

9. Amend page 20, section 25, subsection (1) (c), line 3.

Following: "unless the"

Insert: "presumed father or unknown"

10. Amend page 20, section 25, subsection (2) (a), (b) and (c), lines 6 through 25 and page 21, subsection (4), lines 1 through 16.

Strike: subsections (2) (a), (b) and (c), (3) and (4) in their entirety.

11. Amend page 21, section 25, subsection (5), line 18.

Following: "identify the natural father"

Insert: ", the presumed father,"

12. Amend page 21, section 25, subsection (5), line 18.

Following: "possible natural father"

Insert: ", "

13. Amend page 21, section 25, subsection (5), lines 19 and 20.

Following: "person has"

Strike: "appeared claiming to be the natural father and claiming"

Insert: "filed a notice of intent to claim paternity and claim the"

14. Amend page 21, section 25, subsection (5), line 21.

Following: "terminating the"

Strike: "unknown natural"

15. Amend page 21, section 25, subsection (5), lines 22 and 23.

Following: "child."

Strike: "Subject to the disposition of an appeal,"

Insert: "if no appeal is taken, then"

16. Amend page 22, section 25, subsection (5), line 1.

Following: "ground"

Strike: ", including"

Insert: "except"

17. Amend page 22, section 25, subsection (5), lines 1 through 4.

Following "fraud"

Strike: ", misrepresentation, failure to give any required notice, or lack of jurisdiction of the parties or of the subject matter"

Insert: ". In the case of alleged fraud, the order cannot be questioned if more than six (6) months has expired since alleged fraud is discovered"

18. Amend page 22, section 25, subsection (6), lines 5 through 17.

Strike subsection (6) in its entirety.

And as amended, do pass.

HUENNEKENS, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Joint Resolution No. 46, respectfully report as follows: That House Joint Resolution No. 46 do not pass.

YARDLEY, Chairman

Driscoll moved that the House adjourn until 11:00 a.m., February 26, 1975

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 26, 1975

House Chambers
Capitol Building

House convened at 11:00 a.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hager, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 25, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 539.

JOHNSTON, Vice-Chairman

February 25, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 399, 442, 611.

JOHNSTON, Vice-Chairman

February 26, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly engrossed: House Bills Nos. 632, 177, House Joint Resolution No. 65.

JOHNSTON, Vice-Chairman

February 26, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 594, 617, 619.

JOHNSTON, Vice-Chairman

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 do not pass.

HUENNEKENS, Chairman

February 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 do pass.

HUENNEKENS, Chairman

Report adopted.

February 26, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 be amended in the introduced bill as follows:

1. Amend page 1, the title, line 6.

Following: "records"

Strike: "in"

Insert: "concerning invalid"

2. Amend page 1, the title, lines 6, 7, and 8.

Following "neglect"

Strike: "cases in which the court has determined that the defendant is not guilty of the abuse or neglect"

Insert: "complaints, and from forwarding such complaints to another agency"

3. Amend page 2, section 1, lines 5 through 8.

Following: "cases."

Strike: "However, where a court determines that a defendant is not guilty of child abuse or neglect, the department shall destroy all records relating to that alleged abuse or neglect."

Insert: "However, where a determination is made either by the social worker or by the court that a child abuse or neglect complaint is invalid, the department shall, after a period of one year, destroy all records relating to that complaint"

4. Amend page 2, following line 8.

Insert: a new section 2 to read as follows:

"Section 2. In no instance may the department forward records relating to a complaint of child abuse or neglect to another agency unless that complaint is proven valid. Any reasonable grounds for belief that a person has violated the provisions of this act shall be grounds for dismissal."

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having under consideration House Bill No. 446, respectfully report as follows: That House Bill No. 446 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 12.

Following: "shall be"

Insert: "either"

2. Amend page 1, section 1, line 15.

Following: "psychiatry,"

Insert: "or"

3. Amend page 1, section 1, line 16.

Following: "psychology"

Strike: "and"

4. Amend page 1, section 1, line 17.

Following: "Montana,"

Insert "or"

And as amended, do pass.

MENAHAN, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 671, respectfully report as follows: That House Bill No. 671 be amended in the introduced bill as follows:

1. Amend page 1, section 1, lines 23 and 24.

Following: "corporations"

Strike: "and licensed profit corporations"

2. Amend page 2, section 2, line 2.

Following: "with"

Strike: "[nonprofit]"

Insert: "nonprofit"

3. Amend page 2, section 2, subsection (1), lines 5 and 6.

Following: "with"

Strike: "licensed profit corporations, or"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

MENAHAN, Chairman

Report adopted.

Objection raised by Teague on the adverse committee report on House Bill No. 44. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

February 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 54, introduced by Healy, Lee, Mehrens, et al

Senate Bill No. 148, introduced by Roberts, Romney, McCallum

Senate Bill No. 179, introduced by Turnage (by request of State Tax Appeal Board)

Senate Bill No. 212, introduced by Graham

Senate Bill No. 237, introduced by Lynch

Senate Bill No. 279, introduced by Roberts

Senate Bill No. 292, introduced by Mathers, Manning, Turnage, et al

Senate Bill No. 312, introduced by Thiessen, Jergeson, Lynch

Senate Bill No. 314, introduced by Brown, Drake, Greely

Senate Bill No. 331, introduced by Norman, Boylan

Senate Bill No. 359, introduced by Lee (by request of Department of Social and Rehabilitation Services)

Senate Bill No. 398, introduced by Hazelbaker, Blaylock, Lynch, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 24, 1975

Mr. Speaker

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 201, introduced by Turnage

Senate Bill No. 227, introduced by Roberts

Senate Bill No. 250, introduced by Thiessen, Turnage, Murphy, et al

Senate Bill No. 301, introduced by Brown

Senate Bill No. 333, introduced by Himsl, Thiessen, Mathers

Senate Bill No. 367, introduced by Colberg, Olson, Norman, et al

Senate Bill No. 378, introduced by Lynch, Flynn, Devine

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Aageson moved that House Bill No. 654 be taken from the Committee on State Administration and be placed on Second Reading this day. Aageson requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Conroy, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Gould, Guthrie, Hubing, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Smith, Teague, Underdal, Wood, Wyrick. Total 34.

Noes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Robbins, Scully, Sheldon, Sloan, South, Staigmiller, Stoltz, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 59.

Paired: Lockrem, Aye Magone, Nay.

Excused: Hager. Total 1.

Absent or not voting: Lien, Quilici, Rasmussen, Richards, Thomas, Yardley. Total 6.

Driscoll moved that the rules be temporarily suspended so that bills which have been placed on members' desks this morning may be placed on Second Reading this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that bills which come out of committee this day without amendments be placed on Second Reading this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that all bills which pass Second Reading this day unamended be placed on Third Reading this day.

Motion carried.

Meloy moved that when the Committee of the Whole considers bills on Second Reading, the Clerk dispense with the reading of the sections unless there are amendments.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees.

House Bill No. 700, introduced by Gwynn, Johnson, Shelden, Conroy, Kendall, Halvorson, Kummerfeldt, Bertelsen (by request of the Governor): A bill for an act entitled: "An act establishing a temporary forest-work program to provide employment for citizens of the state of Montana in projects for the maintenance, conservation and improvement of the forest lands of the state, and appropriating two hundred thirty thousand dollars to the Department of Natural Resources and Conservation for the fiscal year ending June 30, 1975, and two hundred seventy thousand dollars for the biennium ending June 30, 1977; providing for other matters relating to the appropriations; and providing for an immediate effective date." Referred to Committee on Appropriations.

House Bill No. 701, introduced by Vincent, Bradley: A bill for an act entitled: "An act to appropriate monies for a geothermal exploration and demonstration project." Referred to Committee on Appropriations.

Senate Bill No. 246, introduced by R. Smith, Regan, Norman, Brown, Jergeson, Lee: A bill for an act entitled: "An act creating a board of heating, ventilation, and air conditioning; providing for the licensing of persons performing heating, ventilating, or air conditioning work; and amending Section 69-2111, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 283, introduced by Seibel, Boylan, Warden, Manley, Regan, Rosell, Conover, Blaylock, Jergeson, Mehrens, R. Smith, Nelson: A bill for an act entitled: "An act to revise the provisions of Montana's sexual crimes statutes pertaining to sexual intercourse without consent; amending Sections 94-5-501 and 94-5-503, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 76, introduced by Greely, Watt, Romney (by request of the Governor): A bill for an act entitled: "An act revising political campaign reporting requirements; creating the position of Commissioner of Campaign Finances and Practices; authorizing the commissioner, in conjunction with the county attorneys, to enforce Montana's election laws and to regulate Montana's campaign finance laws as specified in Title 23, R.C.M. 1947; specifying the powers and duties of county attorneys and other local officials; requiring candidates and political committees to designate a campaign treasurer and a campaign depository, authorizing the creation of a petty cash fund for all candidates and political committees; authorizing citizens to bring actions to force compliance with this act, providing civil and criminal penalties; amending Section 23-4701; repealing Sections 23-4722, 23-4725, 23-4726, 23-4728.1, 23-4729, 23-4730, 23-4731, 23-4733, 23-4734, 23-4735, 23-4736, 23-4750, 23-4755, 23-4761, 23-4769, 23-4772, and 23-4775; and providing for an effective date." Referred to Committee on Judiciary.

Senate Bill No. 186, introduced by Romney, Jergeson: A bill for an act entitled: "An act to amend Section 84-7012, R.C.M. 1947, to provide for penalty, interest and tax liens for failure to file a statement under the provisions of the Montana Resource Indemnity Trust Act; providing that the Attorney General enforce the tax collection provisions; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 260, introduced by Colberg: A bill for an act entitled: "An act authorizing the establishment or acquisition of museums by counties, defining museums, providing for appropriations for the support thereof and for the levy of taxes for such appropriations, and amending Sections 16-1163 and 16-1164, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 297, introduced by Blaylock, Conover, Regan, E. Smith: A bill for an act entitled: "An act amending Section 75-6923, R.C.M. 1947, removing the one hundred twelve percent limitation on the amount school trustees may propose in a general fund budget for operation and maintenance of a public school." Referred to Committee on Education.

Senate Bill No. 318, introduced by McOmber, Story: A bill for an act entitled: "An act amending Sections 16-4506 and 16-4507 relating to the nomination and election of the Board of Directors of a county water or sewer district." Referred to Committee on Local Government.

Senate Bill No. 321, introduced by McOmber, Hazelbaker, Story, Blaylock: A bill for an act entitled: "An act to provide that ballots concerning a special session shall be kept secret for a specified time; amending Section 43-323, R.C.M. 1947." Referred to Committee on Legislative Administration.

Senate Bill No. 370, introduced by Devine (by request of Department of Revenue): A bill for an act entitled: "An act to provide for alternative methods of apportioning utility assessments to the counties and amending Sections 84-708.1, 84-803, and 84-906, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 375, introduced by Drake, Lynch, Flynn, Dunkle, Goodover, Towe: A bill for an act entitled: "An act relating to industrial development projects; defining the term 'project'; providing for use of bond proceeds; amending Sections 11-4101 and 11-4107, R.C.M. 1947; and providing an immediate effective date." Referred to Committee on Local Government.

Federico excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 111 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 80.

Noes: Aageson, Asher, Bertelsen, Ellerd, Fabrega, Guthrie, Jack Moore, Seifert, Sivertsen, Smith. Total 10.

Excused: Federico, Hager. Total 2.

Absent or not voting: Dassinger, Ellison, Kemmis, Magone, O'Connell, Schye, Scully, Thomas. Total 8.

House Bill No. 349 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: Hubing, Lockrem, Mercer, Smith, Wood. Total 5.

Excused: Federico, Hager. Total 2.

Absent or not voting: Conroy, Dassinger, Magone, O'Connell, Scully, Thomas. Total 6.

House Bill No. 370 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: Asher, Casey, Ellerd, Ellison, Guthrie, Lund, Smith, Wyrick. Total 8.

Excused: Federico, Hager. Total 2.

Absent or not voting: Dassinger, Gunderson, Magone, O'Connell, Scully, Thomas. Total 6.

House Bill No. 436 passed by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lynch, McFadden, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Shelden, Sloan, South, Staigmler, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 66.

Noes: C. R. Anderson, Asher, Bengtson, Casey, Conroy, Ellerd, Ellison, Fabrega, Guthrie, Hubing, Jacobsen, Johnston, Kropp, Lien, Lockrem, Lund, Marks, Mercer, Jack Moore, Robbins, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 26.

Excused: Federico, Hager. Total 2.

Absent or not voting: Gunderson, Halvorson, Magone, Schye, Scully, Thomas. Total 6.

House Bill No. 496 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmler, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 93.

Noes: Bertelsen, Yardley. Total 2.

Excused: Federico, Hager. Total 2.

Absent or not voting: Magone, Scully, Thomas. Total 3.

House Bill No. 509 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell,

Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Brand, Ellison. Total 2.

Excused: Federico, Hager. Total 2.

Absent or not voting: Magone, Scully, Sloan, Thomas. Total 4.

House Bill No. 540 passed by the following vote:

Ayes: J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Shelden, Sloan, South, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, C. R. Anderson, Asher, Babcock, Bengtson, Conroy, Day, Ellerd, Ellison, Fabrega, Gerke, Hubing, Jacobsen, Johnston, Kelly, Kropp, Lockrem, Lund, Lynch, McFadden, Manuel, Mercer, Jack Moore, Quilici, Robbins, Schye, Seifert, Sivertsen, Smith, Staigmilller, Wyrick. Total 31.

Excused: Federico, Hager. Total 2.

Absent or not voting: Magone, Scully, Thomas. Total 3.

House Bill No. 592 passed by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, W. Baeth, Bardanouve, Barrett, Bradley, Conroy, Dassinger, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gwynn, Herlevi, Holmes, Hubing, Huennekens, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Manuel, Marks, Menahan, Mercer, Jack Moore, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Seifert, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Underdal, Vincent, Williams, Wolfe, Wood. Total 58.

Noes: J. Anderson, Babcock, R. Baeth, Bengtson, Bertelsen, Brand, Casey, Day, Driscoll, Ellerd, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Jacobsen, Johnson, Kelly, Lien, Lynch, McFadden, Meloy, James Moore, Mular, Murphy, Richards, Schye, Sivertsen, Tropila, Wyrick, Yardley, Mr. Speaker. Total 35.

Excused: Federico, Hager. Total 2.

Absent or not voting: Kummerfeldt, Magone, Scully, Thomas, Travis. Total 5.

House Bill No. 605 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Fagg, Finley, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Seifert, Sivertsen, Sloan,

Staigmiller, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 63.

Noes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Brand, Day, Dussault, Ellison, Fabrega, Gould, Herlevi, Holmes, Hubing, Huennekens, Kendall, Kropp, Kummerfeldt, Kvaalen, Lockrem, Marks, Mercer, Jack Moore, Richards, Schye, Shelden, Smith, South, Stoltz, Underdal, Wyrick, Yardley. Total 31.

Excused: Federico, Hager. Total 2.

Absent or not voting: Fishbaugh, Magone, Scully, Thomas. Total 4.

House Bill No. 612 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Lester, Luebeck, Lynch, McFadden, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 58.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Casey, Driscoll, Ellerd, Ellison, Guthrie, Hageman, Hubing, Jacobsen, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, Manuel, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 35.

Excused: Federico, Hager. Total 2.

Absent or not voting: Day, Fabrega, Magone, Scully, Thomas. Total 5.

House Bill No. 678 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Federico, Hager. Total 2.

Absent or not voting: Magone, Scully, Travis. Total 3.

House Bill No. 8 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble,

Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 85.

Noes: Babcock, Casey, Hubing, Kropp, Marks, Seifert, Smith, Underdal, Wood, Wyrick. Total 10.

Excused: Federico, Hager. Total 2.

Absent or not voting: Day, Magone, Scully. Total 3.

House Bill No. 95 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Aageson, Babcock, Bardanouve, Casey, Ellerd, Ellison, Fabrega, Johnston, Lund, Schye, Sivertsen, Smith, Staigmilller. Total 13.

Excused: Federico, Hager. Total 2.

Absent or not voting: Day, Kummerfeldt, Magone, Scully. Total 4.

House Bill No. 190 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 91.

Noes: Bardanouve, Gunderson, Thomas, Yardley. Total 4.

Excused: Federico, Hager. Total 2.

Absent or not voting: Kummerfeldt, Magone, Scully. Total 3.

House Bill No. 539 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch,

Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Federico, Hager. Total 2.

Absent or not voting: Guthrie, Lund, Magone, Richards, Scully. Total 5.

House Bill No. 492 passed by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 69.

Noes: Ageson, J. Anderson, Asher, Babcock, Barrett, Casey, Ellerd, Ellison, Fabrega, Gould, Guthrie, Hubing, Johnston, Kropp, Kvaalen, Lien, Lockrem, Marks, Mercer, Schye, Seifert, Sivertsen, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 27.

Excused: Hager. Total 1.

Absent or not voting: Fishbaugh, Magone, Scully. Total 3.

House Bill No. 568 passed by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 91.

Noes: Guthrie, Harper, Smith, Wyrick, Yardley. Total 5.

Excused: Hager. Total 1.

Absent or not voting: Huennekens, Magone, Scully. Total 3.

House Bill No. 583 passed by the following vote:

Ayes: Ageson, C.R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley,

Fishbaugh, Fleming, Gerke, Gould, Gunderson, Gwynn, Hageman, Halvorson, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, McFadden, Manuel, Marks, Mercer, Jack Moore, James Moore, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Sivertsen, Sloan, South, Stoltz, Teague, Underdal, Williams, Wolfe, Wood, Wyrick. Total 68.

Noes: R. Baeth, W. Baeth, Brand, Dassinger, Dussault, Gilligan, Guthrie, Harper, Herlevi, Johnson, Kelly, Kemmis, Lester, Luebeck, Lynch, Meloy, Menahan, Mular, Murphy, O'Connell, Smith, Staigmiller, Thomas, Travis, Tropila, Vincent, Yardley, Mr. Speaker. Total 28.

Excused: Hager. Total 1.

Absent or not voting: Magone, Scully, Shelden. Total 3.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 26, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 250 do pass. (75-9)

That House Bill No. 426 do pass. (69-20)

That House Bill No. 522 do pass. (92-0)

That House Bill No. 537 do pass. (87-3)

That House Bill No. 560 do pass. (52-43)

That House Bill No. 573 do not pass. (62-32)

That House Bill No. 620 do pass. (53-42)

That the Committee rise and report and beg leave to sit again.

LOCKREM, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 26, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly printed: House Joint Resolution No. 19, House Bills Nos. 525, 633, 450, 655.

QUILICI, Chairman

February 26, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 do not pass.

YARDLEY, Chairman

February 26, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 439, respectfully report as follows: That House Bill No. 439 do not pass.

YARDLEY, Chairman

February 26, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 440, respectfully report as follows: That House Bill No. 440 do not pass.

YARDLEY, Chairman

February 26, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Joint Resolution No. 66, respectfully report as follows: That House Joint Resolution No. 66 do not pass.

KIMBLE, Chairman

February 26, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 be amended in the introduced bill as follows:

1. Amend page 5, section 1, Class Seven (1), line 19.

Following: "materials;"

Insert: "industries that engage in the mechanical or chemical transformation of materials or substances into new products in the manner defined as manufacturing in the 1972 Standard Industrial Classification Manual, prepared by the United States office of management and budget;"

2. Amend page 6, section 1, Class Seven (2), lines 6 through 25 and page 7, lines 1 through 8.

Strike: subsection (2) in its entirety.

Insert: "(2) Any person, corporation, firm, partnership, association, or other group owning property which qualifies for inclusion in this class shall also make application to the governing body of the county in which the property is located. The governing body of the county may approve or deny the applicant's request. If approved, inclusion in this class may be granted for a period not to exceed three (3) years."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 26, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 593, respectfully report as follows: That House Bill No. 593 be amended in the introduced bill as follows:

1. Amend page 1, section 2, subsection (b), line 19.

Following: "state"

Insert: "and manufacturing a product not currently manufactured in this state"

2. Amend page 1, section 2, subsection (c), line 22.

Following: "total"

Strike: "wages and salaries"

Insert: "jobs"

3. Amend page 1, section 2, subsection (c), lines 23 and 24.

Following: "more"

Strike: ", or create at least fifteen (15) new permanent jobs, whichever is less"

4. Amend page 2, section 3, subsection (1), line 5.

Following: "its"

Insert: "new"

5. Amend page 2, section 3, subsection (1) (a), line 10.

Following: "total"

Insert: "new"

6. Amend page 2, section 3, subsection (1) (b), line 13.

Following: "total"

Insert: "new"

7. Amend page 2, section 3 (1), line 5.

Following: "period of"

Strike: "five (5)"

Insert: "three (3)"

8. Amend page 2, section 3 (1) (b), lines 11 through 13.

Strike: subsection (b) in its entirety.

9. Amend page 3, lines 3 and 4.

Strike: "Section 6. Effective date. This act is effective July 1, 1975."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

February 26, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 369, respectfully report as follows: That House Bill No. 369 be amended in the introduced bill as follows:

1. Amend page 2, section 1, subsection (1), line 10.

Following: "not."

Insert: "The county sanitarian shall notify the department of any subdivision filing in a county."

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 581, respectfully report as follows: That House Bill No. 581 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following: "70-801 through"

Strike: "70-808, 70-810 through"

2. Amend page 1, section 1, line 13.

Following: "Montana"

Strike: "Utility"

Insert: "Major Facility"

3. Amend page 10, section 6, line 15.

Following: "fees"

Insert: "—refund"

4. Amend page 11, section 6, subsection (1) (b), lines 22 and 23.

Following: "combination"

Strike: ", such as power units and transmission lines"

Insert: "which are physically and directly attached to each other and are operationally a single operating entity"

5. Amend page 12, section 6, subsection (2) (a), lines 21 and 22.

Following: "shall be"

Strike: "the total of the fees"

6. Amend page 12, section 6, subsection (2) (a), line 22.

Following: "on the"

Insert: "total"

7. Amend page 12, section 6, subsection (2) (a), lines 22 and 23.

Following: "cost of"

Strike: "each facility considered separately"

Insert: "the combined facilities"

8. Amend page 13, section 6, following line 11.

Insert: two new subsections (2) (c) and (2) (d).

"(c) If the board denies an application, and the board's decision is upheld in any subsequent court proceeding, the applicant is entitled to a refund of that portion of the filing fee not expended by the department in carrying out its responsibilities under this chapter.

(d) The department may contract with a potential applicant under this chapter, in advance of the filing of a formal application, for the development of information or provision of services required hereunder. Payments made to the department under such a contract shall be credited against the fee payable hereunder."

9. Amend page 16, section 7, subsection (1), lines 9 through 15.

Following: "statement."

Strike: "If the application is for a facility which was not listed or proposed in a long-range plan submitted by the applicant to the department at least six (6) months before the filing of the application pursuant to section 70-814, the department shall then have three (3) years and two (2) years, respectively, to make its report to the board."

10. Amend on page 17, section 7, subsection (4), lines 14 through 17.

Following: "(4)"

Strike: the material in its entirety.

Insert: "Within sixty (60) days after receipt of the department's report submitted under subsection (1) of this section, the board shall set a date for the certification hearing, which shall commence within six (6) months after receipt of the department's report."

11. Amend on page 18, following line 17.

Insert: a new section 9 as follows and renumber all subsequent sections.

"Section 9. Section 70-809, R.C.M. 1947, is amended to read as follows:

'70-809. Record of hearing — procedure — rules of evidence — burden of proof. (1) Any studies, investigations, reports, or other documentary evidence, including those prepared by the department, which any party wishes the board to consider or which the board itself expects to utilize or rely upon, shall be made a part of the record; a record shall be made of the hearing and of all testimony taken; and the contested case procedures of the Montana Administrative Procedure Act [82-4201 to 82-4225] (Title 82, chapter 42, R.C.M. 1947) shall apply to the hearing, except that neither common law nor statutory rules of evidence need apply, but the board may make rules designed to exclude repetitive, redundant or irrelevant testimony.

(2) In a certification proceeding held under this chapter, the applicant has the burden of showing by clear and convincing evidence that the application should be granted and that the criteria of section 70-810 are met.

(3) Any party to a certification proceeding held under this chapter may conduct prehearing discovery of all other known parties, including obtaining subpoenas of witnesses and subpoenas duces tecum for the production of such books, records, papers, documents and other objects as may be necessary and proper for the purposes of the proceeding, and the taking of testimony by deposition upon oral examination or written interrogatories for the purpose of discovery or for use as evidence in the hearing or for both purposes.

(4) If the board appoints a hearing examiner to conduct any certification proceedings under this chapter, the hearing examiner may not be a member of the board or an employee of the department."

12. Amend on page 22, present section 10, subsection (3), lines 17 and 18.

Following: "(3)"

Strike: "The time requirement of section [6-[70-806] 70-806 and any"

Insert: "Any"

13. Amend on page 23, present section 10, subsection (3), line 3.

Following: "[subsection.]"

Strike: " " "

14. Amend on page 23, former section 10, following line 3.

Insert: a new subsection (4).

"(4) The board may waive compliance with any of the provisions of sections 70-807 through 70-811 if the applicant makes a clear and convincing showing to the board, after a public hearing held under the contested case procedures of the Montana Administrative Procedure Act, that an immediate, urgent need for a facility exists and that the applicant did not have knowledge that the need for the facility existed sufficiently in advance to fully comply with the provisions of sections 70-807 through 70-811."

15. Amend on page 25, former section 13, subsection (1) (b), line 5.

Following: "(b)"

Insert: "in the case of energy producing facilities"

16. Amend on page 25, former section 13, subsection (1) (b), line 8.

Following: "[utility]"

Strike: "facilities"

Insert: "energy"

17. Amend on page 33, former section 17, subsection (2) (a), line 2.

Following: "material"

Insert: "and knowingly"

18. Amend on page 35, former section 19, subsection (1) (d), lines 8 through 10.

Strike: subsection (1) (d) in its entirety and renumber the subsequent subsection.

19. Amend on page 36, former section 20, subsection (1) (c), line 23.

Following: "thereunder, or"

Insert: "knowingly"

20. Amend on page 39, section 24, line 6.

Following: "1975."

Insert: "Persons required to file long-range plans under the amendments made by section 14 of this act to section 70-814, R.C.M. 1947, shall have until June 1, 1975, to file such plans."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

BRADLEY, Chairman

Report adopted.

February 26, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 be amended in the introduced bill as follows:

1. Amend page 1, the title, line 6.

Following: "equal to"

Insert: "one-half"

2. Amend page 2, section 1, subsection (5), line 15.

Following: "[$\frac{1}{4}$]"

Insert: "one-half ($\frac{1}{2}$)"

3. Amend page 2, section 1, subsection (5), line 19.

Following: "the"

Strike: "sick leave credits were earned"

Insert: "employee terminates his services"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

KIMBLE, Chairman

Report adopted.

February 25, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 453, respectfully report as follows: That House Bill No. 453 be amended in the introduced bill as follows:

1. Amend page 3, section 3, subsection (2), lines 23 and 24.

Following: "prior to"

Strike: "January 1, 1975"

Insert: "passage and approval of this act"

2. Amend page 4, section 5, lines 11 through 14.

Following: "that"

Strike: "there is a need in the state of Montana for the energy produced by the facility. Provided, however, that the burden of showing state energy need shall rest with the applicant."

Insert: "(1) the facility is required to meet state energy needs, or (2) upon a clear and convincing showing by the applicant the burden imposed on interstate commerce outweighs the adverse impacts of the proposed facility on the public health, safety, general welfare and environment of the state of Montana."

3. Amend page 4, section 7, lines 21 through 23.

Following: "act"

Strike: "shall be in full force and effect until six years after the date of enactment"

Insert "is effective on passage and approval and is repealed six (6) years after that date"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

February 26, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 666, respectfully report as follows: That House Bill No. 666 be amended in the introduced bill as follows:

1. Amend title, page 1, lines 7 and 8.

Following "demonstrated"

Strike: "net public benefit"

Insert: "public interest"

2. Amend title, page 1, lines 8 and 9.

Following "benefit;"

Strike: "providing for expanded citizen legal review of subdivision decisions made by the governing body;"

3. Amend title, page 1, line 10.

Following: "11-3860"

Strike: "through 11-3864"

Insert: ", 11-3861"

4. Amend page 1, section 1, line 25.

Following: "a"

Insert: "written"

5. Amend page 1, section 1, line 25.

Following: "finding of"

Strike "net public benefit"

Insert. "public interest"

6. Amend page 2, section 1, lines 1, 2 and 3.

Strike: "to require that the subdivider assume financial responsibility for the completion of improvements and cost of services required by the subdivision;"

7. Amend page 5, section 2, lines 16 and 17.

Strike: "[(13) 'Occasional sale' means one sale of a division of land within any twelve month (12) period.]"

Insert: "(13) 'Occasional sale' means one sale of a division of land within any twelve (12) month period."

8. Amend page 5, section 2, subsection (13), lines 18 through 25; and page 6, line 1.

Strike: all of subsection (13).

9. Amend page 6, lines 2 through 25, through page 19, line 17.

Strike: all of sections 3, 4, 5 and 6 and renumber subsequent sections.

10. Amend page 22, former section 7, subsection (4), lines 8 and 9.

Following: "plat,"

Strike: "subdivision improvements agreement,"

11. Amend page 22, former section 7, subsection (4), lines 11 through 17.

Following: "subdivision"

Strike: these lines in their entirety.

Insert: "would be in the public interest. The governing body shall disapprove any subdivision which it finds not to be in the public interest.

To determine whether the proposed subdivision would be in the public interest the governing body shall issue written findings of fact which weigh the following criteria for public interest:

(a) the basis of the need for the subdivision;"

Reletter: subsequent subsections.

12. Amend page 22, former section 7, subsection (4) (e), line 22.

Following: "environment;"

Strike: "and"

13. Amend page 22, former section 7, subsection (4) (f), line 23.

Following: "effects on"

Strike: "lifestyles."

Insert: "wildlife and wildlife habitat, and"

14. Amend page 22, former section 7, subsection (4), following line 23.

Insert: "(h) effects on the public health and safety."

15. Amend page 23, section 8, lines 6 through 25; and page 24, lines 1 through 14.

Strike: section 8 in its entirety and renumber subsequent sections.

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

MOTIONS

Driscoll moved that House Bills Nos. 682 and 677 be placed below House Bill No. 660 on Second Reading.

Motion carried.

House recessed.

House resumed at 2:00 p.m., Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Objection raised by Bradley on the adverse committee report on House Joint Resolution No. 46. Referred to Second Reading.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 201, introduced by Turnage: A bill for an act entitled: "An act to amend Sections 91A-2-102 and 91A-2-103, R.C.M. 1947, relat-

ing to succession to and distribution of estates." Referred to Committee on Judiciary.

Senate Bill No. 227, introduced by Roberts: A bill for an act entitled: "An act amending Sections 69-5002, 69-5003, and 69-5005, R.C.M. 1947, to re-define 'subdivision' to include only parcels of less than twenty (20) acres in size; providing for approval of plans for facilities in subdivisions; requiring the payment of fees for services rendered in the review of plats; and providing an immediate effective date." Referred to Committee on Local Government.

Senate Bill No. 250, introduced by Thiessen, Turnage, Murphy, Lynch, Kolstad, Drake, Flynn: A bill for an act entitled: "An act for the revision of the laws relating to obscenity and indecent exposure; repealing Sections 94-5-504, 94-8-110 and 94-8-110.1, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 301, introduced by Brown: A bill for an act entitled: "An act authorizing municipal corporations to finance rehabilitation of unsafe or unsanitary privately owned housing and to incur indebtedness therefor and amending Section 11-966, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 333, introduced by Himsl, Thiessen, Mathers, Fasbender: A bill for an act entitled: "An act to provide for fiscal review of state government by the Legislative Auditor; repealing Sections 43-1101 through 43-1108, R.C.M. 1947; and providing an effective date." Referred to Committee on Appropriations.

Senate Bill No. 367, introduced by Colberg, Olson, Norman, Seibel: A bill for an act entitled: "An act to amend Section 27-614, R.C.M. 1947, by providing a thirty dollar (\$30) license fee for food establishments and participation in the fee by local Boards of Health; amending Section 27-615, R.C.M. 1947, by providing the procedure for cancellation or denial of a food establishment license; adopting an emergency enforcement remedy; providing for injunction; repealing Sections 27-616 and 27-617, R.C.M. 1947; and providing a delayed effective date." Referred to Committee on State Administration.

Senate Bill No. 378, introduced by Lynch, Flynn, Devine: A bill for an act entitled: "An act to recodify and revise the present code governing formulation of comprehensive health centers; repealing Sections 80-2401.1, 80-2403, 80-2405, 80-2406, 80-2407, 80-2407.1, 80-2408, 80-2409, 80-2410, and 80-2411, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 54, introduced by Healy, Lee, Mehrens, Dunkle, Olson, Romney, Hazelbaker, Murphy, Manley, Devine, Lynch, Mathers, Flynn, Watt, Brown, Blaylock, Regan, Theissen, Jergeson: A bill for an act entitled: "An act making surviving spouses of silicotics eligible for payments if widowed prior to March 14, 1974, and providing an effective date." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 148, introduced by Roberts, Romney, McCallum: A bill for an act entitled: "An act to generally revise and repeal statutes on wills, succession, probate, and guardianship to conform Montana Law to the Uniform Probate Code." Referred to Committee on Judiciary.

Senate Bill No. 179, introduced by Turnage (by request of State Tax Appeal Board): A bill for an act entitled: "An act to require that public notice be given of county Tax Appeals Board meeting; moving the time of such meetings forward one month; amending Section 84-601, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 212, introduced by Graham: A bill for an act entitled: "An act to provide for the removal of encroachments on highways under the jurisdiction of the Department of Highways." Referred to Committee on Highways and Transportation.

Senate Bill No. 237, introduced by Lynch, Graham, Turnage: A bill for an act entitled: "An act relating to Public Service Commission approval of certain motor carrier agreements; and providing an immediate effective date." Referred to Committee on Highways and Transportation.

Senate Bill No. 279, introduced by Roberts: A bill for an act entitled: "An act to amend Sections 26-202.1 and 26-230, R.C.M. 1947, to provide for a fee increase in the resident conservation license; delete the pioneer and combination pioneer-conservation license; and provide veterans residing at hospitals operated by Veterans Administration free fishing privileges." Referred to Committee on Natural Resources.

Senate Bill No. 292, introduced by Mathers, Manning, Turnage, Flynn: A bill for an act entitled: "An act to provide that the State Treasurer be an elected official, and providing for election, qualifications, duties, and vacancy in office." Referred to Committee on State Administration.

Senate Bill No. 312, introduced by Thiessen, Jergeson, Lynch: A bill for an act entitled: "An act to provide for the computation of an employee's sick leave based upon the employee's salary at the time of termination of employment; amending Section 59-1008, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 314, introduced by Brown, Drake, Greely: A bill for an act entitled: "An act to provide a cause of action for damages where there has been a violation of rights protected by the Fourth Amendment of the Constitution of the United States and Article II, Section II of the Montana Constitution, in lieu of exclusion from criminal prosecution of otherwise admissible evidence; and to repeal Section 95-1806, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 331, introduced by Norman, Boylan: A bill for an act entitled: "An act amending Section 54-316, R.C.M. 1947, to require the Board of Pharmacists to waive the requirement for registration of certain practitioners to dispense dangerous drugs." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 359, introduced by Lee (by request of Department of Social and Rehabilitation Services): A bill for an act entitled: "An act to provide for the collection of fees by the Department of Social and Rehabilitation Services, and requiring deposit of such fees in the Earmarked Revenue Fund." Referred to Committee on State Administration.

Senate Bill No. 398, introduced by Hazelbaker, Blaylock, Lynch, Roberts, Lee, Brown, Fasbender, Norman, Mehrens, Healy, Murphy, McCallum, R. Smith, Towe: A bill for an act entitled: "An act requiring contractors to acquire surety bonds to insure workers' wages." Referred to Committee on Labor and Employment Relations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 26, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 623 do pass. (68-5)

That House Bill No. 647 do pass. (63-28)

Jack Moore replaces Lockrem in the Chair.

That House Bill No. 660 do not pass. (68-28)

That House Bill No. 677 do not pass. (60-35)

Lockrem in the Chair.

That House Bill No. 682 be amended as follows:

1. Amend page 6, section 4, line 13.

Following: "of"

Strike: "law enforcement and public safety"

Insert: "justice"

2. Amend page 42, section 39, line 9.

Following: "of"

Insert: "coin operated machines other than"

3. Amend page 42, section 39, line 10.

Following: "shipments of"

Insert: "coin operated machines other than"

4. Amend page 69, section 59, line 25.

Following: "and"

Strike: "59"

Insert: "60" (76-2)

And as amended, do not pass. (59-38)

That House Bill No. 665 do pass. (70-14)

That House Bill No. 667 do not pass. (64-33)

That the Committee rise and report and beg leave to sit again.

LOCKREM, Chairman

Jack Moore moved that House Bill No. 682 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 361 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorsen, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, McFadden, Magone,

Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 74.

Noes: Babcock, Barrett, Brand, Casey, Ellerd, Lockrem, Lund, Marks, Mercer, Smith. Total 10.

Excused: Hager. Total 1.

Absent or not voting: C. R. Anderson, Day, Ellison, Guthrie, Hageman, Helmbrecht, Huennekens, Kelly, Lien, Lynch, Robbins, Schye, Travis, Wolfe, Wood. Total 15.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 66 was adopted by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 75.

Noes: Barrett, Conroy, Federico, Holmes, Kimble, McFadden, Mular, Murphy, Sloan. Total 9.

Excused: Hager. Total 1.

Absent or not voting: Ellison, Fagg, Gerke, Helmbrecht, Huennekens, Kelly, Lien, Lynch, Palmer, Quilici, Robbins, Schye, Travis, Williams, Wood. Total 15.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 432 was adopted by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmillier, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 85.

Noes: Gilligan, Guthrie, Lockrem, Mercer, South, Teague. Total 6.

Excused: Hager. Total 1.

Absent or not voting: Ellison, Huennekens, Kropp, Lien, Schye, Seifert, Wood, Wyrick. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 321 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 86.

Noes: Brand, Holmes, Thomas, Wood, Yardley. Total 5.

Excused: Hager. Total 1.

Absent or not voting: Ellison, Federico, Huennekens, Johnston, Lien, Lynch, James Moore, Schye. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 373 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Palmer, Quilici, Rasmussen, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Brand, Conroy, Federico, Finley, Hageman, Kelly, Kimble, McFadden, Mular, Murphy, Richards, Tropila. Total 12.

Excused: Hager. Total 1.

Absent or not voting: Babcock, Ellison, Huennekens, Lien, Lynch, Robbins, Schye, Travis. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 366 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 82.

Noes: Barrett, Brand, Conroy, Day, Hageman, Lockrem, Mular, Tropila, Wood, Wyrick. Total 10.

Excused: Hager. Total 1.

Absent or not voting: Ellison, Gerke, Huennekens, Lien, Lynch, Robbins, Schye. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 363 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Federico, Helmbrecht, Kelly, Lester, Jack Moore, Sloan, Teague, Tropila. Total 8.

Excused: Hager. Total 1.

Absent or not voting: Driscoll, Ellison, Huennekens, Lien, Lynch, Meloy, Robbins, Schye, Wood. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 554 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Fabrega, McFadden, Tropila. Total 3.

Excused: Hager. Total 1.

Absent or not voting: Ellison, Federico, Huennekens, Lien, Lynch, Manuel, Palmer, Robbins, Schye, Thomas, Wolfe. Total 11.

February 26, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 84, 62, 295, 359, 435, 460, 461, 528, 626, 637, 640.

QUILICI, Chairman

February 26, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 409.

QUILICI, Chairman

Objection raised by Richards on the adverse committee report on House Bill No. 439. Referred to Second Reading.

MESSAGES FROM THE GOVERNOR

February 26, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 22, 37, 38 and 41.

Sincerely,

THOMAS L. JUDGE
Governor

February 26, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 85, 132, 149 and 171.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

February 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 78, introduced by Johnson, Brand, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 233, introduced by Johnson

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Menahan moved that House Bill No. 679 be taken from the Committee on Appropriations and be placed on Second Reading this day.

Motion failed.

House recessed.

House resumed at 8:00 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 26, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the 44th session at the beginning of business February 26, 1975:

James A. Cain.....	Page
Larry Watson.....	Page

LYNCH, Chairman

Report adopted.

MOTIONS

Driscoll moved that the House accept nonappropriations and nonrevenue Senate bills into the House 24 hours after the transmittal deadline.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 26, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 34 do not pass. (56-28)

That House Bill No. 44 be passed to the bottom of the board.

That House Bill No. 320 do pass. (58-28)

That House Bill No. 455 do pass. (76-1)

That House Bill No. 531 do pass. (66-5)

That House Bill No. 551 do pass. (78-0)

That House Bill No. 649 be passed to the bottom of the board.

That House Bill No. 650 do pass. (58-15)

That House Bill No. 657 be passed below House Bill No. 319.

That House Bill No. 699 do pass. (76-2)

That House Bill No. 319 be amended as follows:

1. Amend page 4, section 4, line 11.

Following: "July 1,"

Strike: "1979"

Insert: "1977"

2. Amend page 4, section 4, line 17.

Following: "limits of"

Insert: "any city or town except that the governing bodies may extend the area to that within four and one-half (4-1/2) miles from the limits of" (67-9)

And be further amended:

3. Amend page 7, section 8, line 20.

Strike: "1979"

Insert: "1977" (73-3)

And as amended, do pass. (51-43)

That House Bill 657 be passed for the day.

That House Joint Resolution No. 50 do pass. (48-25)

That House Joint Resolution No. 52 be passed for the day.

That House Joint Resolution No. 53 do pass. (46-30)

That House Joint Resolution No. 59 do pass. (48-29)

That House Joint Resolution No. 63 be amended as follows:

1. Amend page 2, line 12.

Following: "past"

Strike: "year"

Insert: "years"

2. Amend page 4, line 14.

Strike: "Governor"

Insert: "Governors"

3. Amend page 4, line 14.

Following: "Congressional"

Strike: "delegation"

Insert: "delegations"

4. Amend page 4, lines 14 and 15.

Following: "Montana,"

Strike: "and the Governors of" (64-0)

And as amended, do pass. (49-26)

That House Joint Resolution No. 64 do not pass. (61-20)

That House Bill No. 694 do not pass. (45-40)

That House Bill No. 331 be amended as follows:

1. Amend page 12, section 2, lines 7 and 8.

Strike: lines 7 and 8.

Insert: "This act to be effective March 1, 1975." (69-1)

And as amended, do pass. (42-41)

That House Bill No. 613 be amended as follows:

1. Amend title, line 4.

Add: "s" to "Section"

2. Amend title, line 5.

Following "10-706,"

Insert: "and 61-209,"

3. Amend title, line 8.

Following: "license"

Insert: "and to require the Department of Social and Rehabilitation Services to investigate certain adoptions"

4. Amend the bill, page 1, section 1, line 23.

Strike: "not a relative,"

Following: "child"

Insert " , not a stepchild or blood relative,"

5. Amend page 1, section 1, lines 24 and 25.

Strike: "report that adoption to the family and adult services bureau of"

Insert: "send a copy of the petition for adoption to"

6. Amend page 2, section 1, line 1.

Following: "services"

Insert "as required by section 61-208"

7. Amend page 2, following line 6.

Insert: "Section 2. Section 61-209, R.C.M. 1947, is amended to read as follows.

'61-209. Investigation. (1) Upon the filing of a petition for adoption the court may in its discretion order an investigation to be made by the state department of social and rehabilitation services or any other private agency licensed and approved for such investigatory purpose by the state department of social and rehabilitation services, and may in its discretion further order that a report of such investigation shall be filed with the court by the designated investigator within the time fixed by the court and in no event more [] than [] thirty (30) days from the issuance of the order for investigation, unless time therefor is extended by the court. If the petition is for adoption of a child who is not related by blood to one of the petitioners or who is not a stepchild of the petitioner, the court shall order an investigation by the department. Such investigation if ordered by the court shall include the conditions and antecedents of the child for the purpose of determining whether he is a proper subject for adoption, appropriate inquiry to determine whether the proposed home is a suitable one for the child; and any other circumstances and conditions which may have a bearing on the adoption and of which the court should have knowledge.

(2) The court may order agencies named in subsection (1) of this section located in one or more counties to make separate investigations on separate parts of the inquiry as may be appropriate.

(3) The report of such investigation shall become a part of the files

in the case and shall contain a definite recommendation for or against the proposed adoption and state reasons therefor.” (60-3)

And be further amended:

8. Amend page 1, section 1, line 15.
Reinstate: the stricken language.

9. Amend page 1, section 1, line 16.
Strike: “procures”
Reinstate: the stricken word “assist”
Strike: “assists”

10. Amend page 1, section 1, line 17.
Reinstate: the stricken language.
Strike: “the procuring”

11. Amend page 1, section 1, line 18.
Reinstate: stricken word “agency”
Strike: “adoption” (59-0)

And as amended, do pass. (58-32)

That House Bill No. 488 do pass. (92-0)

That House Bill No. 513 do pass. (49-44)

That House Bill No. 624 be amended as follows:

1. Amend page 1, section 1, subsection (2), lines 22 through 25.
Following: “year”

Strike: “A mandatory mill levy on the community college district that will provide up to thirty-five percent (35%) of the annual budget as approved by the board of regents.”

Insert: “A mandatory mill levy on the community college district that when combined with subsection (1) of this section will provide thirty-five percent (35%) of the annual budget approved by the board of regents.”

2. Amend page 2, section 1, subsection (3), lines 12 through 17.

Strike: lines 12 through 16 in their entirety, and through “sixty-five percent (65%) level.” on line 17. (72-4)

And as amended, do pass. (67-25)

That House Bill No. 27 be amended as follows:

1. Amend page 4, section 4, subsection (1), line 1.
Following: “unless”

Insert: “he can show proof on a form issued by the insuring company and prescribed by the department that” (73-0)

And as amended, do pass. (84-0)

That House Bill No. 234 do pass. (57-17)

That House Bill No. 274 be amended as follows:

1. Amend page 2, section 1, subsection (1), line 6.
Strike: “one dollar eighty cents (\$1.80)”
Insert: “two dollars twenty-five cents (\$2.25)”

2. Amend page 2, section 1, subsection (1), line 8.
Strike: “two dollars (\$2.00)”
Insert: “two dollars forty cents (\$2.40)” (53-35)

And as amended, do pass. (67-23)

That House Bill No. 348 do not pass. (52-39)

That House Bill No. 395 do pass. (74-16)

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 26, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 379, 262, 408, 663, 628, 659, 282, 446, 671, 533.

QUILICI, Chairman

February 26, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 504, respectfully report as follows: That House Bill No. 504 do pass.

BARDANOUE, Chairman

Report adopted.

February 26, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 679, respectfully report as follows: That House Bill No. 679 do pass.

BARDANOUE, Chairman

Report adopted.

February 26, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 643, respectfully report as follows: That House Bill No. 643 be amended in the introduced bill as follows:

1. Amend the title, lines 4 through 6.

Following: "An act"

Strike: "to amend the State Budget Act by providing definitions; by amending Section 79-1015, R.C.M. 1947,"

Insert: "to provide for a program planning and budgeting system;"

2. Amend page 1, section 1, lines 12 through 14.

Following: "Section 1."

Strike "There is a new R.C.M. section numbered 79-1001.1 that reads as follows: 79-1001.1"

3. Amend page 1, section 1, following line 25.

Insert: "Section 2. Program Planning and Budgeting System. (1) The budget director shall implement a program planning and budgeting system as provided in this act for at least one program in representative agencies of state government service such as planning, human service delivery, licensing and regulation, and other programs as determined by the budget director."

4. Amend pages 2, line 1 through page 5, line 23.

Strike: section 2 in its entirety.

Insert: "Section 3. Program budget. The biennial budget under this act shall include a departmental analysis summarizing past and proposed spending plans by program and the means of financing the proposed plan. Information presented shall include the following:

(1) A statement of departmental and program objectives, effectiveness measures and program size indicators;

(2) At least three (3) alternative funding levels for each program with effectiveness measures and program size indicators detailed for each alternative funding level. The first funding level shall not exceed eighty percent (80%) of that level authorized by the legislature for the present fiscal year;

(3) A departmental priority listing encompassing all alternative funding levels

(4) A detailed narrative which shall include at least:

(a) A description of the kinds of activities carried out or unusual technologies employed;

(b) A statement of key policies pursued;

(c) A description of major external trends affecting the program;

(d) An evaluation of how effective the program has been in the past and the apparent reasons for the level of success attained;

(e) A description of possible events that could result in significant variations in the size, operation or effectiveness of the program;

(f) An explanation of the rationale used in determining the priority listing.

(5) Actual disbursements for the past two (2) fiscal years, and the governor's recommendations for the ensuing biennium by program and disbursement category.

(6) A statement containing further recommendations of the governor as appropriate.

Section 4. Long-range building program. The executive budget for all state agencies shall include detailed recommendations for the state long-range building program presented in a priority listing. Each recommendation shall be presented by department, institution, agency or branch by funding source, with a description of each proposed project, an explanation of the problem to be addressed by the proposed project, alternative methods of addressing the problem, the rationale for the selection of a particular alternative and a projection of increased operating costs incident to the project for the next three (3) bienniums."

Renumber: subsequent sections.

5. Amend page 5, present section 3, lines 24 and 25 and page 6, line 1.

Strike: "There is a new R.C.M. section numbered 79-1017.1 that reads as follows 79-1017.1"

6. Amend page 6, present section 4, lines 10 and 11.

Strike section 4 in its entirety.

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

February 26, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 do not pass.

BARDANOUE, Chairman

Kanduch excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, titles and history agreed to were disposed of in the following manner:

House Bill No. 250 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Wolfe, Wood, Wyrick. Total 77.

Noes: Aageson, Asher, Ellison, Fabrega, Harper, Johnston, Jack Moore, Mular, Robbins, Seifert, Sivertsen, Tropila, Vincent, Mr. Speaker. Total 14.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Babcock, Gerke, Halvorson, Kvaalen, Williams, Yardley. Total 6.

House Bill No. 426 passed by the following vote:

Ayes: J. Anderson, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Mr. Speaker. Total 65.

Noes: Aageson, C.R. Anderson, Asher, Babcock, Casey, Conroy, Ellerd, Ellison, Fabrega, Guthrie, Gwynn, Johnston, Lockrem, Lund, Manuel, Marks, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Sloan, Smith, Tropila, Underdal, Wood, Wyrick. Total 27.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Day, Gerke, Halvorson, Kvaalen, Yardley. Total 5.

House Bill No. 522 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Brand,

Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: Harper. Total 1.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Yardley. Total 4.

House Bill No. 537 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 90.

Noes: Lockrem, Mercer. Total 2.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Schye, Yardley. Total 5.

House Bill No. 560 passed by the following vote:

Ayes: C.R. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Driscoll, Dussault, Ellerd, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Guthrie, Gwynn, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kemmis, Kendall, Kimble, Lester, Lien, Lory, Luebeck, Magone, Manuel, Meloy, Menahan, James Moore, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Mr. Speaker. Total 54.

Noes: Aageson, J. Anderson, Asher, Babcock, Bardanouve, Brand, Casey, Conroy, Dassinger, Ellison, Fabrega, Gould, Hageman, Helmbrecht, Hubing, Johnston, Kelly, Kropp, Kummerfeldt, Lockrem, Lund, Lynch, McFadden, Marks, Mercer, Jack Moore, Mular, O'Connell, Schye, Scully, Seifert, Sivertsen, Smith, Staigmiller, Tropila, Underdal, Wood, Wyrick. Total 38.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Day, Gerke, Halvorson, Kvaalen, Yardley. Total 5.

House Bill No. 620 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Holmes, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 56.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Brand, Casey, Ellerd, Ellis, Ellison, Fabrega, Gould, Guthrie, Herlevi, Hubing, Johnston, Kropp, Kummerfeldt, Lien, Lockrem, Lund, Manuel, Marks, Mercer, Jack Moore, O'Connell, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 37.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Yardley. Total 4.

House Bill No. 623 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 86.

Noes: Aageson, Casey, Fabrega, Lund, Jack Moore, Sivertsen, Wood. Total 7.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Yardley. Total 4.

House Bill No. 647 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 65.

Noes: Aageson, Asher, Babcock, Brand, Casey, Ellerd, Ellison, Fabrega, Guthrie, Hubing, Johnston, Kropp, Lien, Lockrem, Lund, Manuel, Marks, Mercer, Jack Moore, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 25.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kummerfeldt, Kvaalen, Schye, Staigmiller, Yardley. Total 7.

House Bill No. 665 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 75.

Noes: Aageson, Asher, Conroy, Ellison, Guthrie, Gwynn, Johnston, Kendall, Kropp, Marks, Mercer, Rasmussen, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 18.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Yardley. Total 4.

House Bill No. 320 passed by the following vote:

Ayes: Aageson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Mr. Speaker. Total 65.

Noes: C.R. Anderson, Asher, Babcock, Casey, Conroy, Day, Ellerd, Ellis, Ellison, Fabrega, Gould, Guthrie, Hubing, Johnston, Kropp, Lockrem, Manuel, Mercer, Jack Moore, Schye, Scully, Seifert, Smith, Underdal, Wyrick. Total 25.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Holmes, Kvaalen, Tropila, Wood, Yardley. Total 7.

House Bill No. 455 passed by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: C.R. Anderson. Total 1.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Yardley. Total 4.

House Bill No. 531 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 78.

Noes: Barrett, Casey, Conroy, Day, Guthrie, Hubing, Lockrem, Lund, Marks, Mercer, Schye, Seifert, Smith, Underdal. Total 14.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Wood, Yardley. Total 5.

House Bill No. 551 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Topila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 88.

Noes: Conroy, Ellerd, Schye, Seifert. Total 4.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Wood, Yardley. Total 5.

House Bill No. 650 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 73.

Noes: Asher, Babcock, Casey, Conroy, Ellerd, Fabrega, Lockrem, Jack Moore, Schye, Seifert, Wood, Wyrick. Total 12.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Barrett, Ellison, Gerke, Guthrie, Halvorson, Kropp, Kvaalen, Lory, Mercer, Robbins, Smith, Yardley. Total 12.

House Bill No. 699 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 90.

Noes: Herlevi. Total 1.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Mercer, Robbins, Yardley. Total 6.

House Joint Resolution No. 50 passed by the following vote:

Ayes: C.R. Anderson, Asher, R. Baeth, W. Baeth, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kimble, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 67.

Noes: Aageson, J. Anderson, Babcock, Barrett, Bengtson, Casey, Ellerd, Ellison, Fabrega, Gould, Guthrie, Johnston, Kendall, Kropp, Lund, Mercer, Jack Moore, Schye, Seifert, Smith, Staigmiller, Wood, Wyrick. Total 23.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Bardanouve, Gerke, Halvorson, Kummerfeldt, Kvaalen, Robbins, Yardley. Total 7.

House Joint Resolution No. 53 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 61.

Noes: C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Conroy, Ellerd, Ellison, Fabrega, Guthrie, Gwynn, Hubing,

Jacobsen, Johnston, Kelly, Kropp, Lockrem, Manuel, Marks, Mercer, Jack Moore, O'Connell, Schye, Seifert, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 31.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Halvorson, Kvaalen, Robbins, Yardley. Total 5.

House Joint Resolution No. 59 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Bengtson, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellis, Fabrega, Fagg, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Hageman, Harper, Helmbrecht, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kimble, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Richards, Scully, Sivertsen, Sloan, South, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 59.

Noes: Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Driscoll, Ellerd, Ellison, Gwynn, Herlevi, Hubing, Kendall, Kropp, Lockrem, Lund, Marks, Meloy, Mercer, Palmer, Rasmussen, Schye, Seifert, Smith, Staigmiller, Stoltz, Wood, Wyrick. Total 30.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Fishbaugh, Gerke, Halvorson, Kummerfeldt, Kvaalen, Robbins, Shelden, Yardley. Total 8.

House Bill No. 488 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 89.

Noes: Seifert. Total 1.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Ellison, Gerke, Halvorson, Kvaalen, Mercer, Robbins, Yardley. Total 7.

House Bill No. 513 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bengtson, Brand, Casey, Conroy, Dassinger, Day, Dussault, Fabrega, Finley, Fleming, Gilligan, Gould, Gunderson, Gwynn, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kelly, Kimble, Lester, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, Shelden, Sloan, Smith, South, Teague, Thomas, Travis, Tropila, Wolfe, Wood. Total 51.

Noes: Aageson, Asher, Babcock, Bardanouve, Barrett, Bertelsen,

Bradley, Driscoll, Ellerd, Ellis, Ellison, Fagg, Fishbaugh, Hageman, Helmbrecht, Jacobsen, Kemmis, Kendall, Kropp, Kummerfeldt, Lien, Lockrem, Lory, Manuel, Marks, Mercer, Jack Moore, Quilici, Rasmussen, Schye, Scully, Seifert, Sivertsen, Staigmillar, Stoltz, Underdal, Vincent, Wyrick, Mr. Speaker. Total 39.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Gerke, Guthrie, Halvorson, Kvaalen, Robbins, Williams, Yardley. Total 7.

House Bill No. 234 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Scully, Shelden, Sivertsen, South, Staigmillar, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Mr. Speaker. Total 65.

Noes: Asher, Barrett, Casey, Ellerd, Ellison, Fabrega, Fagg, Guthrie, Hageman, Hubing, Jacobsen, Kelly, Lockrem, Lund, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sloan, Smith, Wood, Wyrick. Total 24.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Day, Gerke, Halvorson, Kvaalen, Robbins, Thomas, Wolfe, Yardley. Total 8.

House Bill No. 395 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 67.

Noes: Aageson, Brand, Casey, Day, Ellison, Fabrega, Gould, Guthrie, Hubing, Kropp, Lockrem, Lund, McFadden, Marks, Mercer, Seifert, Sivertsen, Smith, Staigmillar, Tropila, Wood, Wyrick. Total 22.

Excused: Federico, Hager, Kanduch. Total 3.

Absent or not voting: Bardanouve, Gerke, Halvorson, Kvaalen, Robbins, Schye, Travis, Yardley. Total 8.

Driscoll moved that the House adjourn until 9:00 a.m., February 27, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 27, 1975

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair.

Invocation by Father Reeves of St. Peter's Cathedral.

Pledge of Allegiance to the Flag.

Roll call. All members present except Babcock and Hager, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

Objection raised by Luebeck on the adverse committee report on House Bill No. 270. Referred to Second Reading.

MOTIONS

Driscoll moved that the rules be temporarily suspended and that all bills which pass Second Reading this day unamended be placed on Third Reading this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 27, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 399 be placed below House Bill No. 566.

That House Bills Nos. 442 and 490 be passed to the bottom of the board.

That House Bill No. 519 do pass. (71-17)

That House Bill No. 566 be amended as follows:

1. Amend page 3, section 1, subsection (3), line 12.

Following: "education."

Insert: "The executive officer shall be an ex officio nonvoting member of the board of public education."

2. Amend page 4, section 2, subsection (3), line 10.

Following: "[directors]"

Strike: "staff"

Insert: "directors in consultation with the local board of the district in which a center is located" (81-0)

And be further amended

3. Amend page 1, in the title, lines 4 and 5.

Following: "the"

Strike: "State Board of"

Insert: "Board of Public"

4. Amend page 1, in the title, lines 6 through 8.

Following: "shall"

Strike: "appoint an administrative committee responsible for administering vocational education and hiring"

Insert: "hire"

5. Amend page 1, section 1, line 16.

Following: "the"

Strike: "state"

6. Amend page 1, section 1, line 16.

Following: "of"

Strike: "vocational"

Insert: "public"

7. Amend page 1, section 1, line 19.

Before: "board"

Strike: "state"

8. Amend page 1, section 1, line 19.

Following: "of"

Insert: "public"

9. Amend page 1, section 1, subsection (1), line 20.

Following: "The"

Strike: "state"

10. Amend page 1, section 1, subsection (1), line 21.

Strike: "vocational"

Insert: "public"

11. Amend page 3, section 1, subsections (2) and (3), lines 1 through 12.

Strike: subsections (2) and (3) in their entirety.

Insert: "(2) The board of public education shall hire an executive officer for vocational education. The executive officer shall be an ex officio nonvoting member of the board of public education."

12. Amend page 3, section 2, line 21.

Strike: "administrative committee"

Insert: "board of public education"

13. Amend page 3, section 2, line 24.

Following: "of the"

Strike: "administrative committee"

Insert: "board of public education"

14. Amend page 4, section 2, subsection (1), line 1.

Following: "for the"

Strike: "administrative committee for the"

15. Amend page 4, section 2, subsection (1), lines 2 and 3.

Following: "policies"

Strike: "adopted by the state board of vocational education"

16. Amend page 4, section 2, subsection (2), line 5.

Following: "[education]"

Strike: "administrative committee"

Insert: "board of public education"

17. Amend page 4, section 2, subsection (3), line 7.

Following: "[education]"

Strike: "administrative committee"

Insert: "board of public education"

18. Amend page 4, section 2, subsection (4), line 13.

Following: "[education]"

Strike: "administrative committee"

Insert: "board of public education"

19. Amend page 4, section 2, subsection (7), line 21.

Following: "of the"

Strike: "state board of vocational"

Insert: "board of public"

20. Amend page 7, section 4, line 5.

Following: "the"

Strike: "administrative committee"

Insert: "board of public education"

21. Amend page 7, section 4, line 20.

Following: "the"

Strike: "state"

22. Amend page 7, section 4, line 21.

Following: "of"

Strike: "vocational"

Insert: "public"

23. Amend page 8, section 5, line 7.

Following: "the"

Strike: "state"

24. Amend page 8, section 5, line 7.

Following: "of"

Strike: "vocational"

Insert: "public"

25. Amend page 8, section 5, lines 10 and 11.

Following: "[education]"

Strike: "administrative committee"

Insert: "board of public education"

26. Amend page 8, section 6, line 23.

Strike: "administrative committee"

Insert: "board of public education"

27. Amend page 9, section 7, subsection (1), line 17.

Following: "the"

Strike: "state"

28. Amend page 9, section 7, subsection (1), line 17.

Following: "board of"

Strike: "vocational"

Insert: "public"

29. Amend page 10, section 7, subsection (2), lines 2 and 3.

Following: "to the"

Strike: "administrative committee of the state board of vocational"
Insert: "board of public"

30. Amend page 10, section 7, subsection (2), line 4.

Following: "[education]"

Strike: "administrative committee"

Insert: "board of public education"

31. Amend page 10, section 7, subsection (2), line 10.

Following: "by the"

Strike: "state board of vocational"

Insert: "board of public"

32. Amend page 10, section 7, following subsection (2), line 12.

Following: "The"

Strike: "state board of vocational"

Insert: "board of public"

33. Amend page 10, section 8, line 24.

Following: "The"

Strike: "state board of vocational"

Insert: "board of public"

34. Amend page 10, section 8, line 25, and page 11, line 1.

Following: "shall"

Strike: ", through the administrative committee,"

35. Amend page 12, section 8, following subsection (3), lines 5 and 6.

Following: "the"

Strike: "state board of vocational"

Insert: "board of public"

36. Amend page 12, section 9, lines 12 through 14.

Following: "the"

Strike: "administrative committee in accordance with policies of the state board of"

Insert: "board of public"

37. Amend page 13, section 9, subsection (3), lines 9 and 10.

Following: "as the"

Strike: "state board of vocational"

Insert: "board of public"

38. Amend page 14, section 9, subsection (4)(c), lines 6 and 7.

Following: "the"

Strike: "state board of vocational"

Insert: "board of public"

39. Amend page 14, section 9, following subsection (5), line 14.

Following: "The"

Strike: "state board of vocational"

Insert: "board of public"

40. Amend page 14, section 9, line 24.

Strike: "administrative committee"

Insert: "board of public education"

41. Amend page 15, section 9, lines 4 and 5.

Following: "[education]"

Strike: "administrative committee"

Insert: "board of public education"

42. Amend page 15, section 10, lines 14 and 15.

Following: "of the"
Strike "state board of vocational"
Insert: "board of public"

43. Amend page 16, section 12, line 16.
Strike: "state board of vocational"
Insert: "board of public"

44. Amend page 17, section 12, line 2.
Strike: "administrative committee"
Insert: "board of public education"

45. Amend page 17, section 13, line 8.
Strike "state board of vocational"
Insert: "board of public"

46. Amend page 18, section 14, line 10.
Following: "of"
Insert: "public"

47. Amend page 21, section 15, subsection (2), line 9.
Following: "of"
Insert: "public"

48. Amend page 26, section 15, subsection (38), line 11.
Following: "board of"
Insert: "public" (66-12)

Babcock present at this time.

And as amended, do pass. (61-27)

That House Bill No. 399 do pass. (73-7)

That House Bill No. 567 do pass. (74-5)

That House Bill No. 586 do pass. (72-7)

That House Bill No. 602 be passed to the bottom of the board.

That House Bill No. 611 do not pass. (51-38)

That House Bill No. 615 do pass. (57-23)

That House Bill No. 642 do pass. (89-0)

That House Bill No. 676 do pass. (77-1)

That House Bill No. 691 do pass. (70-5)

That House Bill No. 692 be placed below House Bill No. 617 on the board.

That House Joint Resolution No. 42 do pass. (72-12)

That House Joint Resolution No. 62 do pass. (54-30)

That House Bill No. 44 do pass. (65-31)

Menahan replaces Lynch in the Chair. Lynch resumes the Chair.

That House Bill No. 263 do pass. (70-28)

That the Committee rise and report and beg leave to sit again.

(Material in brackets denotes cancelled type.)

LYNCH, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 26, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 254, 684.

QUILICI, Chairman

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 63, 223, 369, 392, 453, 541, 559, 593, 621, 652.

QUILICI, Chairman

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed. House Bill No. 625.

QUILICI, Chairman

February 26, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed. House Bill No. 664.

QUILICI, Chairman

February 27, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 536, respectfully report as follows: That House Bill No. 536 be amended in the Second Reading bill as follows:

1. Amend page 1, section 1, line 19 through 25, and page 2, line 1.

Strike: the table in its entirety.

Insert: the new table as follows:

"Population of Municipality (1970 Census)	GRANT	
	FY 1976	FY 1977
less than 200	\$ 100	\$ 100
200 to 549	\$ 500	\$ 250
550 to 1,999	\$ 1,000	\$ 500
2,000 to 4,999	\$ 4,000	\$ 2,000
5,000 to 10,999	\$ 6,000	\$ 3,000
11,000 and over	\$10,000	\$ 5,000

Population of Counties (1970 Census)	GRANT	
	FY 1976	FY 1977
less than 2,000	\$ 2,000	\$ 1,000
2,000 to 4,999	\$ 4,000	\$ 2,000
5,000 to 8,999	\$ 5,000	\$ 2,500
9,000 to 12,999	\$ 8,000	\$ 4,000
13,000 to 19,999	\$ 9,000	\$ 4,500
20,000 and over	\$10,000	\$ 5,000"

2. Amend page 2, section 2, subsection (1), lines 4 through 9.
Following: "which the"

Strike "local government study commissions of those units of local government with a population of less than eight thousand (8,000) may apply for additional state funds up to a total of six thousand dollars (\$6,000) in fiscal year 1976 and three thousand dollars (\$3,000) in fiscal year 1977."

Insert: "county local government study commissions of counties with a population of less than nine thousand (9,000) may apply for an additional one thousand dollars (\$1,000) in state funds for fiscal year 1976 and five hundred dollars (\$500) for fiscal year 1977."

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

February 26, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 417, respectfully report as follows: That House Bill No. 417 do not pass.

YARDLEY, Chairman

MESSAGES FROM THE OTHER HOUSE

February 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read three several times, and passed, title and history agreed to, and the said resolution is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 22, introduced by Towe, Greely.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 25, introduced by Devine

Senate Bill No. 112, introduced by Devine, Jergeson

Senate Bill No. 140, introduced by Kolstad, Galt, Nelson

Senate Bill No. 154, introduced by Towe

Senate Bill No. 177, introduced by Mathers, Turnage, Brown

Senate Bill No. 300, introduced by Warden, Greely, Regan, et al

Senate Bill No. 315, introduced by Towe, Blaylock, Cetrone, et al

Senate Bill No. 379, introduced by Blaylock, Cetrone, Dunkle

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the rules of the House be temporarily suspended and that all committee reports and bills from printing, whether amended or unamended, be placed on Second Reading this day.

Motion carried.

Driscoll moved that the rules of the House be temporarily suspended and that all bills which pass Second Reading this day, amended or unamended, be placed on Third Reading this day.

Motion carried.

Driscoll moved that House Bill No. 270 be placed on Second Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 177 passed by the following vote:

Ayes. Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Brand, Casey. Total 2.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Day, Ellison, Fagg, Fleming, Stoltz. Total 7.

House Bill No. 409 passed by the following vote:

Ayes. Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Bradley, Ellison, Gunderson, Hageman, Richards, Sloan, Vincent. Total 7.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Conroy, Day, Fagg, Fleming, Meloy, Stoltz. Total 8.

House Bill No. 632 passed by the following vote:

Ayes: Aageson, C. R. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sivertsen, South, Staigmilller, Teague, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 67.

Noes: J. Anderson, Asher, Ellerd, Guthrie, Hubing, Johnston, Kropp, Kvaalen, Lockrem, Manuel, Marks, Mercer, Rasmussen, Schye, Seifert, Sloan, Smith, Thomas, Underdal, Wood, Wyrick. Total 21.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Conroy, Day, Fagg, Fishbaugh, Fleming, Meloy, Stoltz, Travis. Total 10.

House Joint Resolution No. 65 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Gerke, Gould, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmilller, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 77.

Noes: Gilligan, Gunderson, Guthrie, McFadden. Total 4.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Conroy, Day, Driscoll, Fagg, Fishbaugh, Fleming, Herlevi, Johnston, Meloy, Murphy, Richards, Shelden, Stoltz, Travis, Yardley. Total 17.

House Bill No. 664 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully,

Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmilller, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 84.

Noes: Wood, Wyrick. Total 2.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Day, Fagg, Fishbaugh, Fleming, Halvorson, Lockrem, Meloy, Murphy, Stoltz, Travis. Total 12.

House Bill No. 625 passed by the following vote:

Ayes: W. Baeth, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kendall, Kimble, Lester, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sheldon, Sloan, South, Staigmilller, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 57.

Noes: Ageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, Barrett, Bengtson, Bertelsen, Ellerd, Ellis, Ellison, Gould, Hubing, Jacobsen, Johnston, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Jack Moore, Robbins, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 30.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Conroy, Day, Fabrega, Fagg, Fleming, Kummerfeldt, Lockrem, Mercer, Stoltz. Total 11.

House Bill No. 399 passed by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmilller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Conroy, Fagg, Fleming, Guthrie, Meloy, Stoltz. Total 8.

House Bill No. 519 passed by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Menahan, James Moore,

Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmiller, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 72.

Noes: Asher, Casey, Ellerd, Fabrega, Guthrie, Johnston, Kropp, Lockrem, Marks, Mercer, Jack Moore, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 17.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Conroy, Fagg, Fleming, Lund, Meloy, Murphy, Stoltz. Total 9.

House Bill No. 567 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 86.

Noes: Hubing, Lockrem, Mercer, Wyrick. Total 4.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Conroy, Fagg, Fleming, Guthrie, Meloy, Stoltz. Total 8.

House Bill No. 586 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Seifert, Sivertsen, Sloan, Smith, South, Staigmiller, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 85.

Noes: Federico, Travis, Yardley. Total 3.

Excused: Hager, Kanduch. Total 2.

Absent or not voting: Babcock, Bardanouve, Conroy, Fagg, Fleming, Meloy, Quilici, Scully, Shelden, Stoltz. Total 10.

House recessed.

House resumed. Mr. Speaker in the Chair.

Kanduch present at this time.

REPORTS OF STANDING COMMITTEES

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 440 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Fabrega, Finley, Fishbaugh, Gerke, Gould, Guthrie, Halvorson, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Menahan, James Moore, Mular, Murphy, O'Connell, Richards, Robbins, Scully, Seifert, Sloan, Smith, South, Staigmiller, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 68.

Noes: Brand. Total 1.

Excused: Hager. Total 1.

Absent or not voting: Babcock, Bardanouve, Bradley, Dussault, Ellison, Fagg, Federico, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Helmbrecht, Huennekens, Johnson, Kemmis, Lund, McFadden, Meloy, Mercer, Jack Moore, Palmer, Quilici, Rasmussen, Schye, Shelden, Sivertsen, Stoltz, Teague, Wolfe. Total 30.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 66 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Harper, Herlevi, Holmes, Hubing, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Mular, Murphy, O'Connell, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 73.

Noes: Jacobsen, James Moore. Total 2.

Excused: Hager. Total 1.

Absent or not voting: Babcock, Bardanouve, Dussault, Fagg, Federico, Fleming, Gunderson, Gwynn, Hageman, Halvorson, Helmbrecht, Huennekens, Johnson, Kemmis, Lockrem, Lund, McFadden, Meloy, Jack Moore, Palmer, Rasmussen, Stoltz, Wolfe, Wood. Total 24.

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 274.

QUILICI, Chairman

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 670, House Bill No. 10.

QUILICI, Chairman

MESSAGE FROM THE OTHER HOUSE

February 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 23, introduced by Drake

Senate Bill No. 327, introduced by Warden, Greely, Blaylock, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Marks moved that House Bills Nos. 53 and 54 be taken from the Committee on Appropriations and be placed on Second Reading. Marks requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Ellerd, Ellis, Ellison, Fabrega, Gould, Guthrie, Hubing, Kropp, Kvaalen, Lockrem, Lory, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Smith, Underdal, Wolfe, Wood, Wyrick. Total 29.

Noes: R. Baeth, W. Baeth, Bengtson, Bradley, Conroy, Day, Driscoll, Dussault, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Sheldon, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Yardley, Mr. Speaker. Total 62.

Excused: Hager. Total 1.

Absent or not voting: C. R. Anderson, Bardanouve, Brand, Dassinger, Federico, Fleming, Lund, Sivertsen. Total 8.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Joint Resolution No. 22, introduced by Towe, Greely: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Office of the Governor of the State of Montana to study shelter care and detention services for juveniles, and to develop a comprehensive plan for such services. Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 25, introduced by Devine: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M. 1947, increasing the public employer's contribution to insurance for public employees to fifteen dollars (\$15) per month." Referred to Committee on State Administration.

Senate Bill No. 112, introduced by Devine, Jergeson: A bill for an act entitled: "An act amending Section 53-438, R.C.M. 1947, to increase the minimum proof of financial responsibility from ten thousand dollars to twenty-five thousand dollars because of bodily injury to or death of one person in any one accident, and to increase from twenty thousand dollars to fifty thousand dollars the amount required for bodily injury to or death of two (2) or more persons in any one accident." Referred to Committee on Judiciary.

Senate Bill No. 140, introduced by Kolstad, Galt, Nelson, Hazelbaker, Stevens, Graham, Dunkle, Goodover, Jergeson: A bill for an act entitled: "An act to provide for the sale or trade of county property by the governing body of the county; amending Section 84-4197; and repealing Section 16-1009, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 154, introduced by Towe: A bill for an act entitled: "An act amending Section 93-1107, R.C.M. 1947, relating to the judges' retirement system and redefining 'final salary'." Referred to Committee on Judiciary.

Senate Bill No. 177, introduced by Mathers, Turnage, Brown: A bill for an act entitled: "An act to amend Sections 84-1309.1 and 75-6916, R.C.M. 1947; to create a coal tax account in the trust and legacy fund; to allocate ten percent of the strip coal mines license tax to that account; and to provide for the deposit of ninety percent of the interest earned by the account in the earmarked revenue fund for state equalization aid to public schools." Referred to Committee on Taxation.

Senate Bill No. 300, introduced by Warden, Greely, Regan, Hazelbaker, Roskie, Romney, Thiessen, McOmber, Story, Mehrens, Healy, Lee, Rosell, Goodover, Hims: A bill for an act entitled: "An act to permit counties to establish a depletion allowance reserve fund for county-operated hospitals and nursing homes." Referred to Committee on Local Government.

Senate Bill No. 315, introduced by Towe, Blaylock, Cetrone, Watt, Brown: A bill for an act entitled: "An act requiring the Public Service Commission to itemize expenditures disallowed as operating costs in gas or electric rate-making proceedings." Referred to Committee on Business and Industry.

Senate Bill No. 379, introduced by Blaylock, Cetrone, Dunkle: A bill for an act entitled: "An act requiring eighty percent of the net motor vehicle license fees derived from registration of motor vehicles whose owners reside within the limits of incorporated cities and towns to be paid to those cities and towns; removing certain references to the county roads superintendent and county surveyor; amending Sections 32-3702 and 32-3703, R.C.M. 1947; and repealing Sections 32-3704 and 32-3705, R.C.M. 1947." Referred to Committee on Local Government.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 27, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Menahan replaces Lynch in the Chair.

That House Bill No. 649 be passed for the day.

Lynch resumes the Chair.

That House Bill No. 594 do pass. (74-7)

That House Bill No. 617 be amended as follows:

1. Amend page 1, section 2, subsection (1), lines 24 and 25 and page 2, lines 1 and 2.

Following "means"

Strike: "knowingly misrepresenting or encouraging another person to misrepresent an issue or proposed legislation, or intentionally giving false or misleading testimony before a legislative committee"

Insert: "intentionally giving a legislator false information, intentionally giving false testimony or information to legislative committees, or intentionally giving false information to another person for the purpose of having that person use such information to influence members of the legislature" (75-4)

And as amended, do not pass. (70-17)

Dassinger excused at this time.

That House Bill No. 692 do pass. (85-1)

That House Bill No. 619 do pass. (65-25)

That House Bill No. 450 do pass. (48-41)

That House Bill No. 525 do not pass. (56-33)

That House Bill No. 633 do pass. (62-24)

That House Bill No. 655 do pass. (57-31)

That House Joint Resolution No. 19 do pass. (74-8)

That House Joint Resolution No. 46 do pass. (69-8)

That House Bill No. 62 be amended as follows:

1. Amend page 4, section 1, subsection (3)(e), line 20.

Following: "act"

Insert: ", not a relocation of existing track," (62-0)

And as amended, do pass. (76-10)

That House Bill No. 84 do not pass. (63-25)

That House Bill No. 295 be passed to the bottom of the board.

That House Bill No. 359 be amended as follows:

1. Amend page 2, section 2, subsection (1), lines 1 and 2.

Following: "(1)"

Strike: "[Ten] five percent [(10%)] (5%)"

Insert: "Two and one-half percent (2-½%)"

2. Amend page 2, section 3, line 15.

Following: "earmarked."

Insert: "Each county shall receive one thousand dollars (\$1,000) as a base before computation of the distribution by subsection (1), and each incorporated city and town shall receive one thousand dollars (\$1,000) as a base before computation of the distribution by subsection (4)." (72-7)

Fagg requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Casey, Conroy, Dussault, Ellerd, Fabrega, Fagg, Gilligan, Guthrie, Helmbrecht, Johnson, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lockrem, Lynch, McFadden, Magone, Marks, Mercer, Murphy, O'Connell, Rasmussen, Robbins, Sivertsen, Teague, Thomas, Travis, Tropila, Vincent, Wood, Wyrick. Total 41.

Noes: Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Day, Driscoll, Ellis, Ellison, Finley, Fleming, Gerke, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Huennekens, Jacobsen, Johnston, Kanduch, Kimble, Kropp, Kvaalen, Lory, Luebeck, Lund, McKittrick, Meloy, Menahan, Jack Moore, James Moore, Palmer, Quilici, Richards, Scully, Seifert, Sloan, South, Staigmiller, Stoltz, Underdal, Williams, Wolfe, Yardley. Total 46.

Excused: Dassinger, Hager. Total 2.

Absent or not voting: Federico, Fishbaugh, Gould, Holmes, Hubing, Lien, Manuel, Mular, Schye, Shelden, Smith. Total 11.

Thereupon, recommend that as amended, do not pass. (47-39)

That House Bill No. 435 do pass. (79-0)

That House Bill No. 460 do pass. (81-2)

That House Bill No. 461 do pass. (66-14)

That House Bill No. 528 be amended as follows:

1. Amend page 10, section 18, line 15.

Following: "parties."

Strike: "In"

Insert: "All"

2. Amend page 10, section 18, line 15.

Following: "cases"

Insert: "shall be"

3. Amend page 10, section 18, line 15.

Following: "court"

Insert: "sitting without a jury, and" (72-2)

And as amended, be passed to the bottom of the board.

That House Bill No. 626 be amended as follows:

1. Amend page 2, section 1, line 3.

Strike "[(c) the supreme court.]"

Insert: "(iii) the supreme court." (68-0)

Dassinger present at this time.

And as amended, do not pass. (55-33)

That House Bill No. 637 do pass. (85-9)

That House Bill No. 640 do pass. (64-17)

That the Committee rise and report and beg leave to sit again.

(Material in brackets denotes cancelled type.)

LYNCH, Chairman

Driscoll moved that House Bill No. 626 be segregated from the Committee of the Whole report.

Motion carried.

Lockrem moved that House Bill No. 359 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

Objection raised by Sivertsen on the adverse committee report on House Bill No. 417. Referred to Second Reading.

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 581.

QUILICI, Chairman

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly engrossed: House Bill No. 613, House Bill No. 624, House Joint Resolution No. 63.

QUILICI, Chairman

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 646.

QUILICI, Chairman

MESSAGES FROM THE OTHER HOUSE

February 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, titles and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 465, introduced by Hager, Brand

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House amendments to Senate Bill No. 19, introduced by Lynch, and Senate Bill No. 108, introduced by Towe, were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Senate Bills and Senate Joint Resolution were this day read three several times, and passed, title and history agreed to, and the said bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 277, introduced by E. Smith, Conover, Etchart, et al

Senate Bill No. 395, introduced by Roberts (by request of Department of Natural Resources)

Senate Joint Resolution No. 25, introduced by Colberg, Norman, R. Smith, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 230, introduced by South, Kelly et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Richards moved that the House reconsider its action of the previous legislative day in failing to pass House Bill No. 694 on Second Reading.

Motion failed.

Menahan moved that House Bill No. 657 be taken from Second Reading and be rereferred to the Committee on Public Health, Welfare and Safety.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 615 passed by the following vote:

Ayes: C. R. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kvaalen, Lester, Lockrem, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 69.

Noes: Aageson, J. Anderson, Babcock, Bardanouve, Casey, Day, Fabrega, Gould, Gwynn, Hageman, Hubing, Kropp, Kummerfeldt, Lien, Lory, Lund, Manuel, Jack Moore, Rasmussen, Seifert, Sivertsen, Sloan, Smith, South, Underdal, Wood, Wyrick. Total 27.

Excused: Hager. Total 1.

Absent or not voting: Ellison, Fishbaugh, Gunderson. Total 3.

House Bill No. 642 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Hubing, Lockrem, Mercer. Total 3.

Excused: Hager. Total 1.

Absent or not voting: Jack Moore, Wolfe. Total 2.

House Bill No. 676 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Rasmussen, Seifert. Total 2.

Excused: Hager. Total 1.

Absent or not voting: Bengtson, Jack Moore, Wood. Total 3.

House Bill No. 691 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell,

Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Babcock, Ellerd, Seifert. Total 3.

Excused: Hager. Total 1.

Absent or not voting: Fleming, Rasmussen. Total 2.

House Joint Resolution No. 42 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 82.

Noes: Barrett, Bertelsen, Ellerd, Ellison, Guthrie, Hubing, Kvaalen, Lockrem, Marks, Schye, Seifert, Smith, Underdal, Wood, Wyrick. Total 15.

Excused: Hager. Total 1.

Absent or not voting: Fleming, Lund. Total 2.

House Joint Resolution No. 62 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 67.

Noes: C. R. Anderson, J. Anderson, Babcock, Barrett, Bertelsen, Casey, Conroy, Ellerd, Ellison, Fabrega, Gerke, Guthrie, Hubing, Jacobsen, Johnston, Kanduch, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Robbins, Seifert, Smith, Underdal, Wood, Wyrick. Total 30.

Excused: Hager. Total 1.

Absent or not voting: Asher, Fleming. Total 2.

House Bill No. 44 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel,

Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Bertelsen, Casey, Conroy, Ellerd, Ellis, Ellison, Gould, Guthrie, Hager, Hubing, Johnston, Kropp, Kvaalen, Lien, Lory, Marks, Mercer, Schye, Seifert, Sivertsen, Smith, Staigmilller, Underdal, Wolfe, Wood, Wyrick. Total 31.

Paired: Driscoll, Aye; Hager, No.

Excused: None.

Absent or not voting: Fleming. Total 1.

House Bill No. 263 passed by the following vote:

Ayes: Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 70.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Bertelsen, Casey, Conroy, Ellerd, Ellison, Gould, Guthrie, Hager, Hubing, Kropp, Kvaalen, Lien, Lockrem, Lund, Marks, Mercer, Mular, Quilici, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 28.

Paired: Driscoll, Aye; Hager, No.

Excused: None.

Absent or not voting: Fleming, Johnston. Total 2.

House Bill No. 566 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley. Total 77.

Noes: Asher, Casey, Ellerd, Fabrega, Gould, Guthrie, Johnston, Kropp, Lockrem, Lory, Lund, Jack Moore, Rasmussen, Schye, Seifert, Smith, Wood, Wyrick, Mr. Speaker. Total 19.

Excused: Hager. Total 1.

Absent or not voting: Ellison, McFadden, Mercer. Total 3.

House Bill No. 274 passed by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson,

Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 71.

Noes: Aageson, J. Anderson, Babcock, Barrett, Bertelsen, Ellerd, Ellison, Gould, Guthrie, Hubing, Johnston, Kropp, Lien, Manuel, Mercer, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 21.

Excused: Hager. Total 1.

Absent or not voting: Asher, Day, Lockrem, Lund, Marks, Rasmussen, Robbins. Total 7.

House Bill No. 624 passed by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Schye, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Williams, Wolfe, Wood. Total 69.

Noes: Aageson, J. Anderson, Asher, Barrett, Bertelsen, Bradley, Ellerd, Ellison, Guthrie, Holmes, Marks, Mercer, Jack Moore, Rasmussen, Scully, Seifert, Sivertsen, Smith, Tropila, Underdal, Vincent, Wyrick, Yardley, Mr. Speaker. Total 24.

Excused: Hager. Total 1.

- Absent or not voting: Babcock, Day, Fagg, Gould, Lockrem, Robbins. Total 6.

House Bill No. 613 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sloan, South, Stoltz, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, Asher, Barrett, Brand, Casey, Conroy, Day, Ellerd, Ellis, Guthrie, Jacobsen, Johnston, Kropp, Lockrem, McFadden, Manuel, Marks, Jack Moore, Robbins, Sivertsen, Smith, Staigmilller, Thomas, Tropila, Underdal, Wood, Wyrick. Total 27.

Excused: Hager. Total 1.

Absent or not voting: Babcock, Fishbaugh, Teague, Travis. Total 4.

House Joint Resolution No. 63 passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 69.

Noes: C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Ellerd, Ellison, Fabrega, Gerke, Guthrie, Hubing, Johnston, Kanduch, Kropp, Kvaalen, Lockrem, Lory, Marks, Mercer, Jack Moore, Robbins, Schye, Seifert, Smith, Underdal, Wood, Wyrick. Total 28.

Excused: Hager. Total 1.

Absent or not voting: Lien, Lynch. Total 2.

House Bill No. 594 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 91.

Noes: Brand, Conroy, Mular, Sloan, South, Mr. Speaker. Total 6.

Excused: Hager. Total 1.

Absent or not voting: Gerke, Travis. Total 2.

House Bill No. 692 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Johnston. Total 1.

Excused: Hager. Total 1.

Absent or not voting: Bengtson, Fleming, Gunderson, Kimble. Total 4.

House Bill No. 619 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Palmer, Quilici, Rasmussen, Richards, Shelden, Sivertsen, Sloan, Staigmiller, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 68.

Noes: Asher, Casey, Conroy, Day, Ellerd, Ellison, Gould, Guthrie, Gwynn, Jacobsen, Kropp, Kvaalen, Lien, Lockrem, Lund, Manuel, Marks, Mercer, Murphy, O'Connell, Robbins, Schye, Scully, Seifert, Smith, South, Tropila, Wood, Wyrick. Total 29.

Excused: Hager. Total 1.

Absent or not voting: Johnston, Travis. Total 2.

House Bill No. 450 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Dassinger, Driscoll, Dussault, Federico, Finley, Fleming, Gilligan, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Lester, Luebeck, Lynch, Magone, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 49.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Casey, Conroy, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Gerke, Gould, Guthrie, Gwynn, Hageman, Hubing, Johnston, Kanduch, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, McFadden, Manuel, Marks, Mercer, Jack Moore, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, Staigmiller, Tropila, Underdal, Wood, Wyrick. Total 48.

Excused: Hager. Total 1.

Absent or not voting: Gunderson, James Moore. Total 2.

House Bill No. 633 passed by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 76.

Noes: Aageson, J. Anderson, Asher, Babcock, Barrett, Brand, Casey, Ellerd, Ellison, Guthrie, Hubing, Kropp, Kvaalen, Lockrem, Manuel, Marks, Mercer, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 23.

Excused: Hager. Total 1.

Absent or not voting: None.

House Bill No. 655 passed by the following vote:

Ayes: J. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Harper, Helmbrecht, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Menahan, Murphy, Palmer, Quilici, Richards, Robbins, Shelden, Sivertsen, Sloan, Staigmler, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley. Total 60.

Noes: Aageson, C. R. Anderson, Asher, Babcock, Bardanouve, Brand, Casey, Driscoll, Ellerd, Ellison, Guthrie, Hageman, Herlevi, Hubing, Jacobsen, Johnston, Kropp, Kvaalen, Lien, Lockrem, Lund, Manuel, Marks, Meloy, Mercer, Jack Moore, Mular, O'Connell, Rasmussen, Scully, Seifert, Smith, South, Wood, Wyrick, Mr. Speaker. Total 36.

Excused: Hager. Total 1.

Absent or not voting: Halvorson, James Moore, Schye. Total 3.

House Joint Resolution No. 19 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmler, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: Ellerd, Schye. Total 2.

Excused: Hager. Total 1.

Absent or not voting: None.

House Joint Resolution No. 46 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmler, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 91.

Noes: Babcock, Ellerd, Guthrie, Kanduch, Smith, Wyrick, Yardley. Total 7.

Excused: Hager. Total 1.

Absent or not voting: Jack Moore. Total 1.

House Bill No. 62 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 84.

Noes: Barrett, Casey, Ellison, Guthrie, Johnston, Kropp, Kvaalen, Lund, Mercer, Schye, Seifert, Smith, Wood, Wyrick. Total 14.

Excused: Hager. Total 1.

Absent or not voting: Manuel. Total 1.

House Bill No. 435 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Jacobsen, Menahan. Total 2.

Excused: Hager. Total 1.

Absent or not voting: Thomas, Travis. Total 2.

House Bill No. 460 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen,

Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: Hager. Total 1.

Absent or not voting: None.

House Bill No. 461 passed by the following vote:

Ayes. Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: C. R. Anderson, J. Anderson, Asher, Babcock, Casey, Ellerd, Guthrie, Johnston, Mercer, Seifert, Sivertsen, Smith, Underdal, Wyrick. Total 14.

Excused: Hager. Total 1.

Absent or not voting: Schye. Total 1.

House Bill No. 637 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Brand, Ellerd, Ellison, Gould, Hageman, Hubing, Lockrem, McFadden, Robbins, Smith, Tropila. Total 11.

Excused: Hager. Total 1.

Absent or not voting: None.

House Bill No. 640 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy,

Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 77.

Noes: Aageson, Babcock, Bengtson, Casey, Conroy, Day, Ellerd, Gerke, Guthrie, Helmbrecht, Hubing, Kvaalen, Mercer, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 20.

Excused: Hager. Total 1.

Absent or not voting: Kummerfeldt, Robbins. Total 2.

House recessed.

House resumed at 7:30 p.m. Mr. Speaker in the Chair.

MOTIONS

Driscoll moved that House Bill No. 626 be taken from Second Reading and be rereferred to the Committee on Judiciary.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 702, introduced by Menahan, Kanduch, Brand: A bill for an act entitled: "An act appropriating one million, two hundred two thousand, two hundred and eleven dollars for the purpose of constructing and equipping a centralized laundry facility at Warm Springs." Referred to Committee on Appropriations.

Senate Bill No. 23, introduced by Drake: A bill for an act entitled: "An act to provide for a cyclical program for the revaluation of taxable property on a county-by-county basis; providing for equalization of valuation of taxable property between the counties; prohibiting the adoption of other programs of revaluation of taxable property; repealing Section 84-429.13, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 327, introduced by Warden, Greely, Blaylock, Manley, Kolstad, Graham, Himsl, Roskie, Goodover, Lynch, Watt, Fasbender, Jergeson, Story, Turnage, Hazelbaker, Murphy: A bill for an act entitled: "An act authorizing the governing bodies of counties, cities, or towns to levy up to one (1) mill upon the assessed value of all taxable property in the county, city, or town for the purpose of economic development." Referred to Committee on Local Government.

Senate Bill No. 277, introduced by E. Smith, Conover, Etchart, Colberg: A bill for an act entitled: "An act amending Section 81-902, R.C.M. 1947, to provide certain conditions which must be met before the state or its lessees may enter upon lands wherein the minerals are owned by the state and the surface thereof is owned by another." Referred to Committee on Natural Resources.

Senate Bill No. 395, introduced by Roberts (requested by Department of Natural Resources): A bill for an act entitled: "An act to amend the Montana Water Use Act by providing additional definitions; deleting the provision that a use of water for slurry to export coal is not a beneficial use; deleting the power of the Board of Natural Resources and Conservation to adopt rules governing interim approval of a change of an appro-

priation right; providing that the department shall cease action on applications not in good faith or not showing a bona fide intent to appropriate water for a beneficial use; requiring the district court rather than the department to issue the order requiring claimants of existing rights to file declarations; clarifying the priority date for converted oil or gas wells; allowing suspension of publication of notice of certain permit applications; providing for extension of time to act on an application; clarifying the priority date for reservations of water; clarifying the procedure to be followed in the courts' supervision of water distribution; providing a new section for administrative enforcement of the act; requiring notification prior to hearings before the board; specifying the applicability of the rules of evidence in administrative hearings; providing a saving clause; amending Sections 89-867, 89-869, 89-872 through 89-876, 89-880, 89-881, 89-884, 89-890, 89-896, 89-8-100, and 89-8-101, R.C.M. 1947; and providing for an immediate effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Joint Resolution No. 25, introduced by Colberg, Norman, R. Smith, Brown, Roberts: A Joint Resolution of the Senate and the House of Representatives of the state of Montana urging President Ford to release impounded funds which have been earmarked for the forest service. Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 27, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 442 do not pass. (62-28)

Robert Harper abstained on all votes on House Bill No. 442.

That House Bill No. 490 do pass. (78-3)

That House Bill No. 602 be passed to the bottom of the board.

That House Bill No. 682 be amended as follows:

1. Amend title, line 7, page 1.
Following: "act"
Insert: "and a delayed effective date"
2. Amend page 2, section 3, line 20.
Following: "cards,"
Insert: "or"
Strike: "or any mechanical"
3. Amend page 2, section 3, line 21.
Strike: "device or machine"
4. Amend page 2, section 3, line 22.
Strike: "punchboards,"
5. Amend page 2, section 3, line 24.

Following: "dominoes,"

Insert: "or"

6. Amend page 2, section 3, line 25.

Strike: "or coin operated machines, but shall not include and this"

7. Amend page 3, section 3, lines 1-4.

Strike "act is not intended to authorize those mechanical or electronic coin-operated machines which are commonly known as slot machines and which contain three (3) or more rotating wheels."

8. Amend page 3, section 3, line 5.

Following: "authorize"

Insert: "punch boards,"

9. Amend page 3, section 3, line 6.

Following: "roulette"

Insert: "slot machines or other pay for play coin-operated machines,"

10. Amend page 21, section 20, line 13.

Following: "revenue"

Strike: "of one million"

Insert: ", from gaming and related activities, of five hundred thousand"

11. Amend page 21, section 20, line 14.

Strike: "(\$1,000,000)"

Insert: "(\$500,000)"

12. Amend page 21, section 20, line 19.

Strike: "one million dollars (\$1,000,000)"

Insert: "five hundred thousand dollars (\$500,000)"

13. Amend page 24, section 24, line 6.

Strike: "or machine"

Following: "equipment,"

Insert: "or"

14. Amend page 24, section 24, line 17.

Strike: "or machines"

Following: "equipment,"

Insert: "or"

15. Amend page 25, section 25, line 3.

Strike: ", or machine"

Following: "equipment,"

Insert: "or"

16. Amend page 25, section 25, lines 24-25.

Strike: ", or machines"

Following: "equipment,"

Insert: "or"

17. Amend page 26, section 25, line 7.

Following: "materials"

Strike: ",

Insert: "and"

18. Amend page 26, section 25, line 8.

Strike: "and machines"

19. Amend page 26, section 25, line 10.

Strike: "and machines"

Following: "equipment,"

Insert: "and"

20. Amend page 26, section 25, line 17.

Following: "equipment,"

Insert: "and"

21. Amend page 26, section 25, line 18.

Strike: ", and machines"

22. Amend page 26, section 25, line 21.

Strike: "and machines"

Following: "equipment,"

Insert: "and"

23. Amend page 27, section 26, line 2.

Strike: ", and"

Following: "equipment,"

Insert: "and"

24. Amend page 27, section 26, line 3.

Strike: "machines"

25. Amend page 27, section 26, line 7.

Strike: ", and"

Following: "equipment,"

Insert: "and"

26. Amend page 27, section 26, line 8.

Strike: "machines"

27. Amend page 27, section 26, line 14.

Strike: "and machines"

Following: "equipment,"

Insert: "and"

28. Amend page 28, section 27, line 7.

Strike: "three"

Insert: "two"

29. Amend page 28, section 27, line 8.

Strike: "five hundred dollars (\$3,500)"

Insert: "dollars (\$2,000)"

30. Amend page 29, section 29, lines 20-21.

Strike: "or coin-operated machine"

31. Amend page 30, section 29, line 3.

Strike: "or coin-operated machine"

32. Amend page 30, section 29, line 9.

Strike: "including any coin-operated machine,"

33. Amend page 30, section 29, lines 20 through 22.

Strike: ", without having first procured a state gaming license for that machine"

34. Amend page 31, section 29, lines 1 through 2.

Strike: ", including any coin-operated machine,"

35. Amend page 31, section 29, line 10.

Strike: "46"

Insert: "47"

36. Amend page 31, section 29, lines 13 through 14.

Strike: "or coin-operated machines"

37. Amend page 31, section 29, lines 14 through 15.

Strike: "or coin-operated machines"

38. Amend page 31, section 29, line 17.

Strike: "47"

Insert: "46"

39. Amend page 31, section 29, line 22.

Strike: "other than a coin-operated machine"

40. Amend page 32, section 30, line 10.

Following: "30."

Strike: "license"

Insert: "gaming license"

41. Amend page 36, section 31, line 14.

Following: "by"

Insert: "the"

42. Amend page 36, section 31, line 23.

Strike: "exclusive of punchboards and coin-operated machines"

43. Amend page 37, section 31, lines 8 through 25.

Strike: material in its entirety.

44. Amend page 38, section 31, lines 1 through 3.

Strike: material in its entirety.

45. Amend page 39, section 34, line 25.

Strike: section 34 in its entirety.

Re-number: subsequent sections.

46. Amend page 40, section 35, line 17.

Strike: section 35 in its entirety.

Re-number: subsequent sections.

47. Amend page 41, section 37, line 21.

Strike: "or coin-operated machines"

48. Amend page 42, section 39, line 9.

Strike: section 39 in its entirety.

Re-number: subsequent sections.

49. Amend page 44, section 41, line 10.

Strike: "chapter"

Insert: "act"

50. Amend page 44, section 41, line 25.

Strike: "chapter"

Insert: "act"

51. Amend page 63, section 46, line 8.

Following: "any"

Insert: "punchboards,"

52. Amend page 63, section 46, line 9.

Following: "tickets,"

Insert: ", pay for play coin-operated machine"

53. Amend page 63, section 47, line 23.

Strike: "45"

Insert: "46"

54. Amend page 64, section 48, line 25.

Strike: ", except that in"

55. Amend page 65, section 48, lines 1 through 3.

Strike: "the playing of any coin-operated machine, it is lawful for a person to use tokens or similar objects therein which are approved by the state gaming control board"

56. Amend page 66, section 49, lines 2 through 5.

Strike: ", counterfeit punchboards on which the tax imposed by this act has not been paid, or punchboards sold with an overlay or accompanying chart revealing to the gaming licensee the locations of winning symbols or numbers,"

57. Amend page 66, section 50, lines 21 through 25.

Strike: subsections (c) and (d) in their entirety.

58. Amend page 69, section 59, line 25.

Strike: "59"

Insert: "60"

59. Amend page 70, section 60, line 19.

Strike: "51"

Insert: "52"

60. Amend page 70, section 60, line 20.

Strike: "57"

Insert: "58"

61. Amend page 70, following section 60, line 25.

Insert: a new section numbered 61 that reads as follows:

"Section 61. Gaming licensee may not advertise. (1) No gaming licensee may advertise any form of gambling in any print, visual or audio media, which is disseminated within this state.

(2) Violation of this section is a misdemeanor and upon conviction the offender shall be fined at least one thousand dollars (\$1000) but not more than two thousand dollars (\$2000)."

62. Amend page 71, following section 63, line 15.

Insert: a new section 64 that reads as follows:

"Section 64. Effective date. This act is effective January 1, 1976." (65-8)
Renumber: subsequent sections.

And as amended, do not pass. (63-26)

That House Bill No. 439 be placed below House Bill No. 672 on the board.

That House Bill No. 262 be amended as follows:

1. Amend page 11, section 18, subsection (1), line 9.

Following: "excess of"

Strike: "one (1)"

Insert: "two (2)" (45-32)

And be further amended:

2. Amend page 13, section 21, subsection (1) (b), line 16.

Following: "make"

Strike: "all"

3. Amend page 13, section 21, subsection (1) (b), line 17.

Following: "condition"

Insert: "as defined by written or oral agreement with the tenant" (41-34)

And be further amended:

4. Amend page 26, section 34, subsection (2), line 8.

Following: "agreement"

Insert "and triple damages"

5. Amend page 28, section 38, subsection (1), line 10.

Following: "chapter"

Insert: "If the tenant abandons the dwelling, the property remaining therein shall be considered abandoned." (74-5)

And as amended, do pass. (72-20)

That the Committee rise and report and beg leave to sit again.

LYNCH, Chairman

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 27 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Hager. Total 1.

Absent or not voting: Kanduch, Lund, Manuel, Rasmussen. Total 4.

House Bill No. 319 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Vincent, Wolfe, Yardley, Mr. Speaker. Total 56.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Casey, Conroy, Ellerd, Ellison, Fabrega, Gerke, Guthrie, Gwynn, Hubing, Jacobsen, Johnston, Kendall, Kropp, Kvaalen, Lockrem, Lory, Lund, Manuel, Marks, Mercer, Jack Moore, Schye, Scully, Seifert, Sivertsen, Smith, Staigmiller, Tropila, Underdal, Williams, Wood, Wyrick. Total 40.

Excused: Hager. Total 1.

Absent or not voting: Dassinger, Kanduch, O'Connell. Total 3.

House Bill No. 331 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kendall, Kimble, Lester, Lory, Luebeck, Lynch, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 57.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Casey, Day, Ellerd, Ellison, Fabrega, Fishbaugh, Guthrie, Hageman, Hubing, Jacobsen, Johnston, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lund, McFadden, Manuel, Marks, Mercer, Jack Moore, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Smith, Tropila, Underdal, Wyrick. Total 40.

Excused: Hager. Total 1.

Absent or not voting: Conroy, Kanduch. Total 2.

House Bill No. 490 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 87.

Noes: Babcock, Barrett, Casey, Hubing, Mercer, Rasmussen, Schye, Seifert, Smith, Underdal. Total 10.

Excused: Hager. Total 1.

Absent or not voting: Kanduch, Mr. Speaker. Total 2.

House Bill No. 262 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 80.

Noes: Aageson, Asher, Casey, Day, Ellerd, Gerke, Hubing, Kendall, Kvaalen, Lund, McFadden, Marks, Jack Moore, Schye, Seifert, Smith, Staigmiller, Tropila. Total 18.

Excused: Hager. Total 1.

Absent or not voting: Kanduch. Total 1.

REPORTS OF STANDING COMMITTEES

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bills Nos. 27, 331, 319.

QUILICI, Chairman

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 643, 666, 672.

QUILICI, Chairman

February 27, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 275, 424.

QUILICI, Chairman

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 27, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Brand replaces Lynch in the Chair. Lynch resumes the Chair.

That House Bill No. 282 be amended as follows:

1. Amend page 5, section 5, line 1.

Following: "January"

Strike: "1"

Insert: "3" (87-2)

And as amended, do pass. (62-30)

That all bills on Second Reading be placed below House Bill No. 679.

That House Bill No. 679 do pass. (95-1)

That House Bill No. 379 do pass. (55-36)

That House Bill No. 408 be amended as follows:

1. Amend page 11, line 18.

Strike: "less"

Insert: "more"

2. Amend page 11, lines 19 and 20.

Following: (\$500)

Strike: "nor more than one thousand dollars (\$1,000)" (85-0)

And as amended, do pass. (54-29)

That House Bill No. 446 do pass. (69-19)

That House Bill No. 533 do pass. (92-0)

That House Bill No. 628 do pass. (51-42)

That House Bill No. 659 do pass. (87-0)

That House Bill No. 663 be amended as follows:

1. Amend page 5, section 7, line 10 through page 6, line 1.
Strike: section 7 in its entirety. (76-5)

And as amended, do pass. (71-15)

That House Bill No. 671 do pass. (87-2)

Brand replaced Lynch in the Chair. Lynch resumes the Chair.

That House Bill No. 504 do pass. (90-0)

That House Bill No. 334 do pass. (83-9)

Brand replaces Lynch in the Chair. Lynch resumes the Chair.

That House Bill No. 516 be amended as follows:

1. Amend page 1, section 1, subsection (1) lines 24 and 25, page 2, line 1.

Following: "[((\$7,806.50))]"

Strike: "nine thousand three hundred sixty-five dollars and two cents (\$9,365.02)"

Insert: "eight thousand seven hundred sixty-one dollars and fifty cents (\$8,761.50)"

2. Amend page 2, section 1, subsection (2), lines 6 and 7.

Following: "[((\$7,806.50))]"

Strike: "nine thousand three hundred sixty-five dollars and two cents (\$9,365.02)"

Insert: "eight thousand seven hundred sixty-one dollars and fifty cents (\$8,761.50)"

3. Amend page 2, section 1, subsection (2), lines 8 and 9.

Following: "[((\$276.50))]"

Strike: "three hundred ninety-one dollars and thirty-eight cents (\$391.38)"

Insert: "three hundred eighty-two dollars and fifty cents (\$382.50)"

4. Amend page 2, section 1, subsection (3), lines 13, 14 and 15.

Following: "[((\$10,286))]"

Strike: "twelve thousand eight hundred eighty-seven dollars and forty-four cents (\$12,887.44)"

Insert: "twelve thousand one hundred ninety-six dollars (\$12,196)"

5. Amend page 2, section 1, subsection (3), lines 16 and 17.

Following: "[((\$364.50))]"

Strike: "three hundred ninety-one dollars and thirty-eight cents (\$391.38)"

Insert: "four hundred seventy dollars and fifty cents (\$470.50)"

6. Amend page 2, section 1, subsection (4), lines 23 and 24.

Following: "[((\$17,586))]" on line 22.

Strike: "twenty thousand five hundred seventy-five dollars and seventy-four cents (\$20,575.74)"

Insert: "nineteen thousand four hundred ninety-six dollars (\$19,496)"

7. Amend page 2, section 1, subsection (4), line 25 and page 3, line 1.

Following: "[(\$252.50)]"

Strike: "two hundred forty-five dollars and eleven cents (\$245.11)"

Insert: "three hundred fifty-eight dollars and fifty cents (\$358.50)"

8. Amend page 3, section 1, subsection (5), lines 9 and 10.

Following: "[(\$642.50)]"

Strike: "nine hundred nine dollars and thirty-two cents (\$909.32)"

Insert: "seven hundred forty-eight dollars and fifty cents (\$748.50)"

9. Amend page 3, section 1, subsection (5), lines 16 and 17.

Following: "[(\$616.50)]"

Strike: "eight hundred fifty-six dollars and twenty-eight cents (\$856.28)"

Insert: "seven hundred twenty-two dollars and fifty cents (\$722.50)"

10. Amend page 3, section 1, subsection (5), lines 18 and 19.

Following: "[(\$51)]"

Strike: "eighty-one cents (\$.81)"

Insert: "fifty-one cents (\$.51)"

11. Amend page 3, section 1, subsection (5), lines 23 and 24.

Following: "[(\$513.50)]"

Strike: "six hundred ninety-four dollars and eighty-nine cents (\$694.89)"

Insert: "six hundred nineteen dollars and fifty cents (\$619.50)"

12. Amend page 4, section 1, subsection (7), lines 9, 10 and 11.

Following: "[(\$37,510)]"

Strike: "fifty-three thousand three hundred thirty-four dollars and twenty cents (\$53,334.20)"

Insert: "forty thousand eight hundred and twenty-two dollars (\$40,822)."

13. Amend page 4, section 1, subsection (8), lines 15 and 16.

Following: "[(\$1,562.75)]" on line 14.

Strike: "two thousand two hundred twenty-two dollars and twenty-six cents (\$2,222.26)"

Insert: "one thousand seven hundred dollars and seventy-five cents (\$1,700.75)"

14. Amend page 4, section 1, subsection (8), lines 17 and 18.

Following: "[(\$9.75)]"

Strike: "twelve dollars and twelve cents (\$12.12)"

Insert: "nine dollars seventy-five cents (\$9.75)"

15. Amend page 4, section 1, subsection (8), lines 22 and 23.

Following: "[(\$1,406.75)]"

Strike: "two thousand twenty-eight dollars and thirty-three cents (\$2,028.33)"

Insert: "one thousand five hundred forty-four dollars and seventy-five cents (\$1,544.75)"

16. Amend page 4, section 1, subsection (8), line 25.

Following: "[(\$6.60)]" on line 24.

Strike: "twelve dollars and twelve cents (\$12.12)"

Insert: "six dollars sixty cents (\$6.60)"

17. Amend page 5, section 1, subsection (8), lines 4 and 5.

Following: "[(\$1,009.75)]"

Strike: "one thousand three hundred one dollars and eight cents (\$1,301.08)"

Insert: "one thousand one hundred forty-seven dollars and seventy-five cents (\$1,147.75)"

18. Amend page 5, section 1, subsection (8), line 7.

Following: "[(\$2.15)]"

Strike: "two dollars and three cents (\$2.03)"

Insert: "two dollars fifteen cents (\$2.15)"

19. Amend page 5, section 1, subsection (8), lines 11, 12 and 13.

Following: "[(\$794.75)]"

Strike: "one thousand ninety-eight dollars and thirty-one cents (\$1,098.31)"

Insert: "nine hundred thirty-two dollars and seventy-five cents (\$932.75)"

20. Amend page 5, section 1, subsection (8), line 14.

Following: "[(\$.49)]" on line 13.

Strike: "one dollar and eleven cents (\$1.11)"

Insert: "forty-nine cents (\$.49)"

21. Amend page 5, section 1, subsection (8), lines 18 and 19.

Following: "[(\$746.75)]"

Strike: "nine hundred eighty-six dollars and eighty-six cents (\$986.86)"

Insert: "eight hundred eighty-four dollars and seventy-five cents (\$884.75)"

22. Amend page 5, section 1, subsection (8), lines 20 and 21.

Following: "[(\$.13)]"

Strike: "twenty cents (\$.20)"

Insert: "thirteen cents (\$.13)"

23. Amend page 5, section 1, subsection (8), lines 24 and 25.

Following: "[(\$708.75)]"

Strike: "nine hundred twenty-five dollars and thirty-seven cents (\$925.37)"

Insert: "eight hundred forty-six dollars and seventy-five cents (\$846.75)"

24. Amend page 6, section 1, subsection (10), lines 16 and 17.

Following: "[(\$10,777.77)]"

Strike: "ten thousand three hundred forty-six dollars (\$10,346)"

Insert: "nine thousand four hundred fifty-four dollars and fifty cents (\$9,454.50)"

25. Amend page 6, section 1, subsection (11), lines 23 and 24.

Following: "[(\$10,777.77)]"

Strike: "ten thousand three hundred forty-six dollars (\$10,346)"

Insert: "nine thousand four hundred fifty-four dollars and fifty cents (\$9,454.50)"

26. Amend page 7, section 1, subsection (11), lines 1 and 2.

Following: "[(\$450.42)]"

Strike: "four hundred thirty-two dollars and forty cents (\$432.40)"

Insert: "four hundred fifty-nine dollars and fifty cents (\$459.50)"

27. Amend page 7, section 1, subsection (12), lines 8 and 9.

Following: "[(\$14,831.56)]"

Strike: "fourteen thousand two hundred thirty-eight dollars (\$14,238)"

Insert: "thirteen thousand five hundred eighty-two dollars (\$13,582)"

28. Amend page 7, section 1, subsection (12), lines 11 and 12.

Following: "[(\$450.42)]"

Strike: "four hundred thirty-two dollars and forty cents (\$432.40)"

Insert: "five hundred forty-seven dollars and fifty cents (\$547.50)"

29. Amend page 7, section 1, subsection (13), lines 19 and 20.

Following: "[(\$23,679.68)]"

Strike: "twenty-two thousand seven hundred thirty-two dollars (\$22,732)"

Insert: "twenty thousand eight hundred eighty-two dollars (\$20,882)"

30. Amend page 7, section 1, subsection (13), lines 22 and 23.

Following: "[(\$282.08)]"

Strike: "two hundred seventy dollars and eighty cents (\$270.80)"

Insert: "four hundred thirty-five dollars and fifty cents (\$435.50)"

31. Amend page 8, section 1, subsection (14), line 8.

Strike: "one thousand four dollars and sixty cents (\$1,004.60)"

Insert: "eight hundred twenty-five dollars and fifty cents (\$825.50)"

32. Amend page 8, section 1, subsection (14), line 10.

Following: "[(\$1.02)]"

Strike: "ninety-eight cents (\$.98)"

Insert: "forty-three cents (\$.43)"

33. Amend page 8, section 1, subsection (14), lines 16 and 17.

Following: "[(\$985.46)]"

Strike: "nine hundred forty-six dollars (\$946)"

Insert: "seven hundred ninety-nine dollars and fifty cents (\$799.50)"

34. Amend page 8, section 1, subsection (14), line 18.

Following: "[(\$.93)]"

Strike: "eighty-nine cents (\$.89)"

Insert: "fifty-one cents (\$.51)"

35. Amend page 8, section 1, subsection (14), lines 24 and 25.

Following: "[(\$799.72)]"

Strike: "seven hundred sixty-seven dollars and seventy cents (\$767.70)"

Insert: "six hundred ninety-six dollars and fifty cents (\$696.50)"

36. Amend page 9, section 1, subsection (16), lines 13 and 14.

Following: "[(\$61,395.50)]"

Strike: "fifty-eight thousand nine hundred thirty-nine dollars (\$58,939)"

Insert: "forty-three thousand two hundred ninety-four dollars (\$43,294)"

37. Amend page 9, section 1, subsection (17), lines 19 and 20.

Following: "[(\$2,558.15)]"

Strike: "two thousand four hundred fifty-six dollars (\$2,456)"

Insert: "one thousand eight hundred three dollars and seventy-five cents (\$1,803.75)"

38. Amend page 9, section 1, subsection (17), line 22.

Following: "[(\$13.95)]"

Strike: "thirteen dollars forty cents (\$13.40)"

Insert: "nine dollars seventy-five cents (\$9.75)"

39. Amend page 10, section 1, subsection (17), lines 3 and 4.

Following: "[(\$2,334.90)]"

Strike: "two thousand two hundred forty-one dollars and fifty cents (\$2,241.50)"

Insert: "one thousand six hundred forty-seven dollars and seventy-five cents (\$1,647.75)"

40. Amend page 10, section 1, subsection (17), lines 6 and 7.

Following: "[(\$13.95)]"

Strike: "thirteen dollars and forty cents (\$13.40)"

Insert: "six dollars and sixty cents (\$6.60)"

41. Amend page 10, section 1, subsection (17), lines 12 and 13.

Following: "[(\$1,497.73)]"

Strike: "one thousand four hundred thirty-eight dollars (\$1,438)"

Insert: "one thousand two hundred fifty dollars and seventy-five cents (\$1,250.75)"

42. Amend page 10, section 1, subsection (17), lines 15 and 16.

Following: "[(\$2.33)]"

Strike: "two dollars and twenty-five cents (\$2.25)"

Insert: "two dollars and fifteen cents (\$2.15)"

43. Amend page 10, section 1, subsection (17), lines 21 and 22.

Following: "[(\$1,264.32)]"

Strike: "one thousand two hundred fourteen dollars (\$1,214)"

Insert: "one thousand thirty-five dollars and seventy-five cents (\$1,035.75)"

44. Amend page 10, section 1, subsection (17), lines 24 and 25.

Following: "[(\$1.28)]"

Strike: "one dollar and twenty-five cents (\$1.25)"

Insert: "forty-nine cents (\$.49)"

45. Amend page 11, section 1, subsection (17), lines 5 and 6.

Following: "[(\$1,136.02)]"

Strike: "one thousand ninety dollars and fifty cents (\$1,090.50)"

Insert: "nine hundred eighty-seven dollars and seventy-five cents (\$987.75)"

46. Amend page 11, section 1, subsection (17), lines 7 and 8.

Following: "[(\$24)]"

Strike: "twenty-five cents (\$.25)"

Insert: "thirteen cents (\$.13)"

47. Amend page 11, section 1, subsection (17), lines 12 and 13.

Following: "[(\$1,065.24)]"

Strike: "one thousand twenty-two dollars and sixty cents (\$1,022.60)"

Insert: "one hundred forty-nine dollars and seventy-five cents (\$949.75)"
(55-39)

And as amended, do pass. (85-6)

That House Joint Resolution No. 52 do pass. (80-7)

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

LYNCH, Chairman

Report adopted.

Driscoll moved that the House adjourn until 9:30 a.m., February 28, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 28, 1975

House Chambers
Capitol Building

House convened at 9:30 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hager, Rasmussen, and Thomas, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

MOTIONS

Driscoll moved that the rules be temporarily suspended and that all bills which passed Second Reading this day unamended be placed on Third Reading this day.

Motion carried.

Driscoll moved that House Bill No. 649 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Marks moved that House Bills Nos. 53 and 54 be taken from the Committee on Appropriations and be placed on Second Reading this day.

Motion failed.

Meloy moved that House Bill No. 675 be rereferred from the Committee on Natural Resources to the Committee on Appropriations.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 27, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 675, respectfully report as follows: That House Bill No. 675 be amended in the introduced bill as follows:

1. Amend page 3, section 2, subsection (3), line 9.

Following: "interrelates"

Strike: "all functional"

2. Amend page 3, section 2, subsection (3), line 10.

Following: "systems and"

Insert: "human"

3. Amend page 3, section 2, subsection (3), line 13.

Following: "and natural"

Strike: "resources and"

Insert: "resource,"

4. Amend page 3, section 2, subsection (3), lines 14 through 20.

Following: "programs."

Strike: "'Comprehensive' means all-inclusive, both in terms of the geographic area covered and functional and natural activities and systems occurring in the area covered by the plan. 'General nature' means a summary of policies and proposals in broad categories and does not necessarily indicate specific locations of any area, activity, or use."

5. Amend page 3, section 2, subsection (3), lines 23 and 24.

Following: "possible."

Strike: ": 'Land' includes water, both surface and subsurface, and the air."

6. Amend page 4, section 2, subsection (7), lines 11 through 15.

Following: "(7)"

Strike: all the language in subsection (7).

Insert: "'Land' includes surface and subsurface water and the air."

7. Amend page 4, section 3, subsection (1), line 19.

Following: "senate."

Insert: "The commissioners shall be appointed as soon as practicable after the effective date of this act."

8. Amend page 5, section 3, subsections (4) and (5), lines 11 through 15.

Strike: subsections (4) and (5) in their entirety and renumber the subsequent subsection.

9. Amend page 5, section 3, following line 19.

Insert: a new subsection (5) to read as follows:

"(5) The commission shall elect a chairperson and establish rules for its organization and procedures."

10. Amend page 5, section 4, line 20.

Strike: "Section 4. Meetings—compensation of members."

Insert: "(6)"

Renumber: subsequent sections.

11. Amend page 5, present section 4, lines 22 through 25, and on page 6, lines 1 through 7.

Following: "quarter."

Strike: the remainder of present section 4.

12. Amend on page 6, present section 5, subsection (1) (b), line 13.

Following: "Act,"

Strike: "promulgate"

Insert: "adopt"

13. Amend page 6, present section 5, subsection (1) (e), line 24.

Following: "establish"

Insert: "and adopt"

14. Amend page 7, present section 5, subsection (1) (g), line 2.

Following: "(g)"

Strike: "prepare statewide planning guidelines"

Insert: a new subsection (g) as follows:

"(g) review model and minimum zoning, subdivision and other ordinances to assure conformance with statewide growth policies and guidelines"

15. Amend page 7, present section 5, subsection (1) (i), line 5.

Following: "(i)"

Strike: "coordinate"

Insert: "review"

16. Amend page 7, present section 5, subsection (1) (j), line 10.

Following: "of the"

Insert: "growth policy formulation"

17. Amend page 7, present section 5, subsection (1) (k), lines 14 and 15.

Following: "guidelines"

Strike: ", particularly those for the areas listed in subsection (1) of section 23 of"

Insert: "for areas designated pursuant to"

18. Amend page 7, present section 5, subsection (1) (m), line 19.

Following: "committee;"

Strike: "and"

19. Amend page 7, present section 5, subsection (1), following line 19.

Insert: a new subsection and reletter the subsequent subsection.

"(n) hold hearings as directed by this act and as necessary to accomplish the purposes of this act; and"

20. Amend page 10, present section 8, following line 14.

Insert: a new subsection (7) as follows:

"(7) The committee shall convene at the discretion of the members, except that the committee must meet within thirty (30) days of the receipt by the chairman of the committee of a request by the commission to consider a recommendation for the designation of an area of critical state concern."

21. Amend page 10, present section 9, subsection (3), line 24.

Following: "for"

Insert: "appropriate"

22. Amend page 11, present section 10, lines 12 through 25; page 12, lines 1 through 25; and page 13, lines 1 through 3.

Strike: present section 10 in its entirety and renumber subsequent sections.

Insert: a new section 9 to read as follows:

"Section 9. Statewide inventory and information directory.

(1) Between the effective date of this act and January 1, 1976, the departments of fish and game, health and environmental sciences, intergovernmental relations, natural resources and conservation, and state lands with the assistance of the staff shall prepare and make available to the public a directory listing the type of natural resource inventory data and information now being collected and stored by local, state and federal agencies in Montana that might be required by citizens, local governing units and the commission in accomplishing the purposes of this act.

(2) The interagency land use advisory council or a subcommittee thereof consisting of at least representatives of the departments of fish and game, intergovernmental relations, natural resources and conservation, and state lands shall prepare a report on the cost and a methodology for a statewide land and water resource inventory. The report shall be available for the consideration of the commission, the governor and the forty-fifth (1977) legislative session.

(3) Based on presently available information, the five (5) departments named in subsection (1) of this section shall prepare a preliminary inventory of potential areas of critical state concern. The preliminary

inventory shall be submitted to the commission and made available to the public by January 1, 1976, to assist in the growth policies formulation process."

23. Amend page 13, present section 11, subsection (1), line 14.

Following: "decisions."

Insert: "A local planning board (or boards) may be designated by a county governing body to implement this program."

24. Amend page 13, present section 11, subsection (3), line 21.

Following: "the"

Insert: "growth policy formulation"

25. Amend page 13, present section 12, lines 22 through 25; and page 14, line 1.

Strike: present section 12 in its entirety.

26. Amend page 14, present section 14, following line 5.

Insert: "(1) Aspects of growth and development, including:"

27. Amend page 14, present section 14, lines 6, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21.

Strike: the subsection numbers (1) through (12).

Insert: subsection small letters (a) through (i).

28. Amend page 14, present section 14, following line 22.

Insert: new subsections (2) and (3).

"(2) Designating areas of critical state concern to implement a growth policy; and

(3) Defining criteria for delineating the following types of areas of state concern:

(a) areas of significant agricultural value;

(b) areas of significant natural resource development value;

(c) areas in which development may endanger life or property because of natural or artificially caused hazards such as landslides, avalanches, flooding, or earthquakes;

(d) areas in which development may substantially affect major public facilities or other projects, existing or approved, which represent a substantial expenditure of public funds;

(e) areas of special ecological or biological importance or fragility;

(f) areas of significant aesthetic, historical, recreational, scientific, or cultural value; and

(g) proposed sites for new town developments."

29. Amend on page 15, present section 15, lines 5 through 25.

Strike: the second section 15 in its entirety. (Note: there are two sections 15 due to a printing error.)

Insert: a new section 13, and renumber subsequent sections.

"Section 13. Formulation of a final growth policy, recommendations and guidelines. (1) Between June 15, 1976, and September 15, 1976, the commission shall hold no fewer than fifteen (15) public hearings throughout the state to elicit public comment on and reaction to the proposed growth policy, recommendations and guidelines.

(2) The commission shall consider the recommendations and comments received through the public hearings held pursuant to this section and through whatever other means residents of the state choose to communicate to the commission, and shall no later than November 1, 1976, make available to the governor, the legislature and the public a final growth policy, implementing recommendations and guidelines.

Summaries of this report shall be made available to the largest possible audience."

30. Amend page 16, present section 16, line 5.

Following: "section"

Strike: "14 and 15"

Insert: "12 and 13"

31. Amend page 16, present section 17, line 7.

Following: "Following the"

Strike: "approval"

Insert: "adoption"

32. Amend page 16, present section 17, line 8.

Strike: "policy"

Insert: "policies"

33. Amend page 16, present section 17, line 8.

Following: "policy and"

Strike: "its"

34. Amend page 16, present section 18, subsection (1), line 18.

Following: "growth"

Strike: "policy"

Insert: "policies"

35. Amend page 16, present section 18, subsection (1), line 20.

Following: "within"

Strike: "each"

Insert: "that"

36. Amend page 17, present section 19, subsection (1), line 6.

Following: "initial"

Insert: "final"

37. Amend page 17, present section 19, subsection (1), lines 9 through 14.

Following: "the"

Strike: "commission shall prescribe and may amend and administer subdivision or other ordinances and regulations necessary to develop and implement the growth policy and guidelines within the boundaries of a county, whether or not within the boundaries of a city, that do not comply"

Insert: "local governing unit shall amend its existing ordinances and regulations so that such ordinances and regulations are not inconsistent"

38. Amend page 17, present section 19, subsection (3), lines 24 and 25; and on page 18, lines 1 through 3.

Strike: this subsection (3) in its entirety.

39. Amend page 18, present section 20, subsection (1), line 5.

Following: "sections"

Strike: "21 and 22"

Insert: "19 and 20"

40. Amend page 19, present section 21, subsection (1), lines 8 and 9; and in subsection (2), line 15; and on page 20, subsection (4), line 1.

Following: "section"

Strike: "20"

Insert: "18"

41. Amend page 21, present section 21, subsection (9), line 4.

Following: "subsection"

Strike: "(3)"

Insert: "(6)"

42. Amend page 21, present section 22, subsection (2), line 20.

Following: "section"

Strike: "21"

Insert: "18"

43. Amend page 22, present section 24, lines 20 through 25; pages 23, 24 and on page 25, lines 1 through 14.

Strike: present section 24 in its entirety, and renumber subsequent sections.

44. Amend page 26, present section 26, subsection (2), line 11.

Strike: "department"

Insert: "staff"

45. Amend page 26, present section 26, subsection (2), line 13.

Following: "of the"

Strike: "department,"

Insert: "staff, the"

And as amended, do pass.

BRADLEY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 282 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Day, Driscoll, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kendall, Kimble, Lester, Lockrem, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Scully, Shelden, South, Staigmiller, Teague, Travis, Tropila, Wolfe, Wood, Yardley, Mr. Speaker. Total 56.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Casey, Dassinger, Dussault, Ellerd, Ellis, Gould, Guthrie, Gwynn, Hubing, Jacobsen, Johnston, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lory, Marks, Jack Moore, Richards, Seifert, Sivertsen, Smith, Underdal, Vincent, Wyrick. Total 30.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Federico, Fleming, Lien, Lund, Mercer, James Moore, Robbins, Schye, Sloan, Stoltz, Williams. Total 11.

House Bill No. 679 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Heunnekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone,

Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Fleming, Lien, Lund, Mercer, Robbins, Schye, Sloan, Williams. Total 8.

House Bill No. 379 passed by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lockrem, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Seifert, Shelden, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Wolfe, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Dassinger, Ellerd, Ellison, Fabrega, Gould, Guthrie, Gwynn, Hubing, Johnston, Kropp, Lory, Jack Moore, Sivertsen, Smith, South, Underdal, Wood, Wyrick. Total 25.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: R. Baeth, Fleming, Lien, Lund, Mercer, Schye, Sloan, Williams. Total 8.

House Bill No. 408 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Federico, Fishbaugh, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kropp, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Scully, Shelden, Sivertsen, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Wolfe, Wood, Yardley, Mr. Speaker. Total 59.

Noes: Aageson, Asher, Babcock, Bardanouve, Barrett, Day, Ellerd, Ellison, Fabrega, Fagg, Finley, Gerke, Guthrie, Gwynn, Holmes, Hubing, Jacobsen, Johnston, Kendall, Kummerfeldt, Kvaalen, Lockrem, Marks, Jack Moore, Robbins, Seifert, Smith, South, Underdal, Wyrick. Total 30.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: R. Baeth, Fleming, Lien, Lund, Mercer, Schye, Sloan, Williams. Total 8.

House Bill No. 446 passed by the following vote:

Ayes: Aageson, J. Anderson, Asher, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Finley, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Luebeck, Lynch, McFadden,

Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Yardley, Mr. Speaker. Total 73.

Noes: C.R. Anderson, Babcock, R. Baeth, Barrett, Ellis, Fagg, Fishbaugh, Gerke, Herlevi, Jacobsen, Kendall, Kvaalen, Lockrem, Lory, Marks, Wyrick. Total 16.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Federico, Fleming, Lien, Lund, Mercer, Schye, Sloan, Williams. Total 8.

House Bill No. 533 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Fleming, Lund, Mercer, Schye, Sloan, Williams. Total 6.

House Bill No. 628 passed by the following vote:

Ayes: C.R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Richards, Shelden, South, Staigmilller, Stoltz, Teague, Travis, Vincent, Wolfe, Yardley. Total 54.

Noes: Aagson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Casey, Ellerd, Ellison, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Hubing, Jacobsen, Johnston, Kanduch, Kendall, Lockrem, McFadden, Marks, Jack Moore, O'Connell, Robbins, Scully, Seifert, Sivertsen, Smith, Tropila, Underdal, Wood, Wyrick, Mr. Speaker. Total 36.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Fleming, Lien, Lund, Mercer, Schye, Sloan, Williams. Total 7.

House Bill No. 659 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand,

Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Fleming, Lund, Mercer, Sloan, Travis, Williams. Total 6.

House Bill No. 663 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Shelden, Sivertsen, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Bertelsen, Ellerd, Ellison, Guthrie, Johnston, Kropp, Mercer, Scully, Seifert, Smith. Total 10.

Excused: Hager, Rasmussen, Thomas. Total 3.

Absent or not voting: Fleming, Schye, Sloan, Williams, Wood. Total 5.

House Bill No. 671 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Fleming, Guthrie, Sloan, Williams. Total 4.

House Bill No. 504 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Fleming, Halvorson, Sloan, Williams. Total 4.

House Bill No. 334 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, Palmer, Richards, Schye, Scully, Shelden, Sivertsen, South, Staigmiller, Stoltz, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Bardanouve, Brand, Ellerd, Ellison, Gerke, Guthrie, Johnston, Kummerfeldt, McFadden, Jack Moore, Mular, O'Connell, Quilici, Robbins, Siefert, Smith, Teague. Total 17.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Fleming, Sloan, Williams. Total 3.

House Bill No. 516 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Palmer, Richards, Scully, Shelden, Smith, South, Staigmiller, Stoltz, Travis, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Aageson, Conroy, Jacobsen, McFadden, Mular, Murphy, Quilici, Robbins, Schye, Seifert, Sivertsen, Teague, Tropila, Underdal. Total 14.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Ellis, Fleming, Sloan, Williams. Total 4.

House Joint Resolution No. 52 passed by the following vote:

Ayes: Ageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wolfe, Yardley, Mr. Speaker. Total 88.

Noes: Ellison, Guthrie, Schye, Smith, Wood, Wyrick. Total 6.

Excused: Hager, Thomas, Rasmussen. Total 3.

Absent or not voting: Fleming, Sloan, Williams. Total 3.

MOTIONS

Meloy moved that the House act on all amendments to bills transmitted from the Senate through the Fifty-seventh Legislative Day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 28, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 63 do pass. (83-0)

That House Bill No. 223 do pass. (54-34)

That House Bill No. 254 do pass. (60-29)

That House Bill No. 541 do pass. (73-0)

That House Bill No. 559 do pass. (64-4)

That House Bill No. 652 be amended as follows:

1. Amend page 4, section 2, subsection (12), line 21.

Re-insert: "containing"

2. Amend page 4, section 2, subsection (12), line 22.

Re-insert: "less than twenty (20) acres, exclusive of public roadways"

3. Amend page 4, section 2, subsection (12), line 23.

Strike: "regardless of size,"

4. Amend page 5, lines 4 and 5.

Re-insert: "less than twenty (20) acres"

And be further amended:

5. Amend amendment number 2.

Strike: "twenty (20)"

Insert: "forty (40)"

6. Amend amendment number 4.

Strike: "twenty (20)"

Insert: "forty (40)" (59-22)

And be further amended:

7. Amend page 18, section 5, subsection (2), line 1.

Re-insert: "unsubdivided"

Strike: "subdivided," (46-37)

And as amended, do pass. (72-13)

That House Bill No. 684 do pass. (54-31)

That House Bill No. 369 do pass. (67-8)

That House Bill No. 392 do pass. (79-4)

That House Bill No. 453 be amended as follows:

1. Amend title, page 1, line 8.

Strike: "six (6)"

Insert: "two (2)" (69-13)

And be further amended:

2. Amend page 2, line 13, section 2.

Following: "for"

Strike: "any"

Insert: "only a" (80-1)

And be further amended:

3. Amend page 3, section 3, line 10.

Strike: "six (6)"

Insert: "two (2)"

4. Amend page 5, section 7, line 3.

Strike: "six (6)"

Insert: "two (2)" (85-1)

And as amended, do pass. (53-45)

That the Committee rise and report and beg leave to sit again.

MARKS, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 29, introduced by Graham, Turnage, Mathers, Manley

Senate Bill No. 125, introduced by Turnage, Lynch, Hazelbaker

Senate Bill No. 245, introduced by Turnage, Brown

Senate Bill No. 257, introduced by Dunkle, Drake

Senate Bill No. 268, introduced by Lynch, Flynn, Turnage

Senate Bill No. 332, introduced by Graham, Galt, Mathers, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolutions were this day read three several times, and passed, title and history agreed to, and the said resolutions are herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 15, introduced by Brown, Roberts

Senate Joint Resolution No. 17, introduced by Blaylock, Towe, Cetrone, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill, providing for a constitutional amendment and requiring a two-thirds vote of the Legislature, was this day read three several times, and is herewith transmitted to the House for concurrence:

Senate Bill No. 368, introduced by Jergeson, Roberts, Regan

YEAS - 34
NAYS - 16

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 221, introduced by Drake, Flynn, Himsl

Senate Bill No. 231, introduced by Lynch, Murphy

Senate Bill No. 235, introduced by Greely, Himsl, Fasnender, et al

Senate Bill No. 384, introduced by Boylan (by request)

Senate Bill No. 386, introduced by Foster, Jergeson, Conover, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 219, introduced by Fasnender, Norman

Senate Bill No. 234, introduced by Greely, Fasnender, Galt, et al

Senate Bill No. 238, introduced by Himsl, Greely, Drake

Senate Bill No. 274, introduced by Towe, Regan, Conover, et al

Senate Bill No. 313, introduced by Brown, R. Smith

Senate Bill No. 324, introduced by Towe, Fasnender, Blaylock, et al

Senate Bill No. 325, introduced by Towe, Fasnender, Blaylock, et al

Senate Bill No. 340, introduced by Goodover, McCallum, Mathers, et al

Senate Bill No. 342, introduced by Mathers, Fasnender, Graham, et al

Senate Bill No. 388, introduced by Towe

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that House Bills Nos. 11, 53, 54 and 64 be taken from the Committee on Appropriations and be placed on Second Reading this day.

Motion carried.

Jacobsen moved to request the Senate to return House Bill No. 450 to the House.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 703, introduced by Bertelsen, Kropp, Johnston: A bill for an act entitled: "An act appropriating one hundred two thousand four hundred thirty-nine dollars, from the general fund to the Department of Livestock to be used to fund a state-level rodent control program." Referred to Committee on Appropriations.

House Bill No. 704, introduced by Lynch, Quilici, Kelly, Mular, Harper, Luebeck: A bill for an act entitled: "An act to appropriate one million nine hundred sixty thousand five hundred dollars to the Department of Administration to acquire land and construct a library building at the Montana College of Mineral Science and Technology." Referred to Committee on Appropriations.

House Bill No. 705, introduced by Day, Schye: A bill for an act entitled: "An act appropriating two hundred fifty thousand dollars from the general fund to the Montana Bureau of Mines to fund the study of groundwater resources directed by House Joint Resolution No. 54 for the biennium ending June 30, 1977." Referred to Committee on Appropriations.

Senate Bill No. 368, introduced by Jergeson, Roberts, Regan: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article X, Section 9 of the Montana Constitution to insure that the Board of Regents share with the legislature control of the university system." Referred to Committee on Judiciary.

Senate Bill No. 221, introduced by Drake, Flynn, Himsl: A bill for an act entitled: "An act to require each motor vehicle liability policy in this state to provide first party personal injury insurance coverage which is payable without regard to fault." Referred to Committee on Judiciary.

Senate Bill No. 231, introduced by Lynch, Murphy: A bill for an act entitled: "An act to increase the salaries of certain county officers; amending Section 25-605, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 235, introduced by Greely, Himsl, Galt, Fasbender, Kolstad, Towe, Hazelbaker, Goodover, R. Smith, Stephens, Flynn, Rosell: A bill for an act entitled: "An act to regulate the maximum rate of interest which parties may agree to in writing, amending Section 47-125, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 384, introduced by Boylan (by request): A bill for an act entitled: "An act to amend Sections 75-6516, 75-6517 and 75-6525, R.C.M. 1947, to restrict the transfer of land from one elementary or high school district to another in certain situations unless the taxable value of the remaining property in the school district from which the land is transferred is not reduced below one million dollars; and providing an effective date." Referred to Committee on Education.

Senate Bill No. 386, introduced by Foster, Jergeson, Conover, Graham, Galt, E. Smith: A bill for an act entitled: "An act requiring imported meats to be labeled as such in food stores, providing a penalty." Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Bengtson, Conroy and Robbins excused at this time.

February 28, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 593 do pass. (39-37)

That House Bill No. 621 be amended as follows:

1. Amend page 3, section 1, line 24.

Following: "of"

Strike: "board"

Insert: "boards"

2. Amend page 4, section 1, line 6.

Following: "three"

Insert: "dollars"

3. Amend page 7, section 3, line 20.

Strike: "legislative assembly"

Insert: "legislature"

4. Amend page 8, section 3, line 9.

Following: "than"

Insert: "the mileage rate allowed by the United States"

5. Amend page 8, section 3, line 10.

Strike: "authorized by"

6. Amend page 8, section 3, line 10.

Following: "service"

Strike: "authorized rate"

Insert: "for the next preceding year shall be paid"

7. Amend page 8, section 3, line 14.

Following: "used"

Strike: "."

Reinsert: ", "

8. Amend page 27, section 19, line 23.

Following: "the"

Strike: "legislative assembly"

Insert: "legislature"

9. Amend page 28, section 19, line 9.

Following: "committees"

Strike: ", except senators elected at the general election held in 1968,"

10. Amend page 28, section 19, line 17.

Following: "preceding"

Strike: "legislative assembly"

Insert: "legislature"

11. Amend page 63, section 57, line 20.

Following: "59-539,"

Insert: "and"

12. Amend page 65, section 59, line 15.

Following: "59-539,"

Insert: "and" (55-0)

And as amended, do pass. (63-6)

That House Bill No. 270 do not pass. (46-32)

That House Bill No. 536 do pass. (74-1)

Kimble excused at this time.

That House Bill No. 10 do pass. (66-0)

That House Bill No. 670 be amended as follows:

1. Amend page 5, section 3, subsection (3), lines 11 and 12.
Strike "(3) A person violating subsection (2) of this section is guilty of a felony." (63-0)

Tropila, Day and South excused at this time.

And as amended, do pass. (68-14)

That House Bill No. 646 do pass. (70-0)

That House Bill No. 295 do pass. (63-3)

Seifert replaces Marks in the Chair.

That House Bill No. 581 do pass. (56-20)

Hageman excused at this time.

That House Bill No. 528 be amended as follows:

1. Amend page 5, section 9, line 2.
Following: "[court.]"
Insert: "(2) A party may not be represented by an attorney unless all parties are represented by an attorney in a small claims court."
Re-number: remaining subsections.

2. Amend page 5, section 9, present subsection (2), line 3.
Following: "individual"
Strike: "shall"
Insert: "may"

3. Amend page 5, section 9, present subsection (2), line 4.
Following: "partnership"
Strike: "shall"
Insert: "may"

4. Amend page 5, section 9, present subsection (2), line 5.
Following: "union"
Strike: "shall"
Insert: "may"

5. Amend page 5, section 9, present subsection (2), line 7.
Following: "corporation"
Strike "shall"
Insert: "may"

6. Amend page 5, section 9, present subsection (2), line 8.
Following: "association"
Strike: "shall"
Insert: "may"

7. Amend page 5, section 9, present subsection (2), line 10.
Following: "entity"
Strike: "shall"
Insert: "may" (60-0)

And be further amended:

8. Amend page 10, section 18, line 24.
Following: "parties."
Strike: "In"
Insert: "All"

9. Amend page 10, section 18, line 24.

Following: "cases"

Insert: "shall be"

10. Amend page 10, section 18, line 24.

Following: "court"

Insert: "sitting without a jury, and" (62-0)

And as amended, do pass. (67-1)

That House Bill No. 359 be amended as follows:

1. Amend page 2, section 2, subsection (1), lines 1 and 2.

Following: "(1)"

Strike: "[Ten] Five percent [(10%)] (5%)"

Insert: "two and one-half percent (2- ½%)"

2. Amend page 2, section 3, line 15.

Following: "earmarked."

Insert: "each county shall receive one thousand dollars (\$1,000) as a base before computation of the distribution by subsection (1), and each incorporated city and town shall receive one thousand dollars (\$1,000) as a base before computation of the distribution by subsection (4)." (58-4)

And as amended, do not pass. (50-43)

That House Bill No. 275 do pass. (64-0)

That House Bill No. 424 do pass. (63-7)

Fleming excused at this time.

That House Bill No. 602 be amended as follows:

1. Amend page 2, section 1, lines 1 through 5.

Following: "82A-108"

Insert: " "

Strike: all the underlined language and punctuation.

Insert: "Section 82A-108 (2) does not apply and the commission may hire its own personnel." (66-0)

Marks resumed the Chair.

And as amended, do pass. (63-4)

That House Bill No. 643 do pass. (65-0)

That House Bill No. 666 be amended as follows:

1. Amend page 5, section 2, subsection (12), lines 5 and 6.

Following: "parcels,"

Insert: "containing less than forty (40) acres, exclusive of public roadways"

2. Amend page 5, section 1, subsection (12), line 7.

Strike: "regardless of size,"

3. Amend page 5, section 1, subsection (12), line 13.

Following: "parcels"

Insert: "less than forty (40) acres" (59-0)

And as amended, do pass. (40-29)

That House Bill No. 672 be amended as follows:

1. Amend page 6, section 4, line 15.

Following: "value"

Insert: "or value"

2. Amend page 13, section 6, line 18.

Following: "of the"

Strike: "department"

Insert: "governing body"

3. Amend page 21, line 18.

Strike: section 6, subsection (4).

Insert: section 11, subsection (3).

4. Amend page 30, line 23.

Following: "made"

Insert: "from the taxable value"

5. Amend page 36, line 1.

Strike: "provide"

Insert: "prohibit" (59-0)

And as amended, do pass. (69-0)

That House Bill No. 439 do pass. (49-19)

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

MARKS, Chairman

Report adopted.

MESSAGE FROM THE OTHER HOUSE

February 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 273, introduced by Roberts

Senate Bill No. 275, introduced by Cetrone, Manley, Regan, et al

Senate Bill No. 306, introduced by Lynch, Lee, Healy

Senate Bill No. 310, introduced by Greely, Towe, Hazelbaker, et al

Respectfully yours,

John N. Hanson

Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Joint Resolution No. 15, introduced by Brown, Roberts: A Joint Resolution of the Senate and the House of Representatives of the State of Montana appointing representatives of the Montana Legislature to serve on the Western States Forest Task Force. Referred to Committee on Business and Industry.

Senate Joint Resolution No. 17, introduced by Blaylock, Towe, Cetrone, Romney: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Board of Regents to govern the six (6) units of the University System as one (1) unit. Referred to Committee on Education.

Senate Bill No. 29, introduced by Graham, Turnage, Mathers, Manley: A bill for an act entitled: "An act to exempt livestock less than one (1) year old from taxation by amending Section 84-202, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 125, introduced by Turnage, Lynch, Hazelbaker, Drake, Kolstad, Flynn, Graham, McOmber, Rosell, Dunkle, Stephens, Goodover, Roskie, Galt, Brown, E. Smith, Manning, Conover, Blaylock, Story, Mehrens, Healy, Lee, Mathers, Olson, McCallum, Aber, Nelson, Himsl, Manley, Jergeson, Boylan: A bill for an act entitled: "An act classifying rules made under the Administrative Procedure Act as adjective or substantive rules; requiring the approval of the legislature before substantive rules take effect; providing for the adoption of interim emergency substantive rules; amending Sections 82-4202, 82-4203.1, 82-4204, and 82-4205, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 245, introduced by Turnage, Brown: A bill for an act entitled: "An act requiring boat marinas to install wastewater pump-out systems; and prohibiting watercraft from discharging any wastewater into certain designated bodies of water; amending Sections 69-3505 and 69-4806, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 257, introduced by Dunkle, Drake: A bill for an act entitled: "An act to generally revise the laws relating to the Public Employees' Retirement System; amending Sections 68-1602, 68-1605.1, 68-1607, 68-1608, 68-1905, 68-2001, 68-2003, 68-2004, 68-2101, 68-2504, and 68-2513, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 268, introduced by Lynch, Flynn, Turnage: A bill for an act entitled: "An act creating a permanent joint interim committee of the Legislature known as the Administrative Code Committee; providing for the review of rules proposed to be adopted under the Administrative Procedure Act by the committee; authorizing the committee to suspend rules until the next regular legislative session; amending Section 84-4204, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 332, introduced by Graham, Mathers, Galt, Lynch, Boylan, Manley, Rosell, Dunkle: A bill for an act entitled: "An act to repeal the Montana Environmental Policy Act; repealing Sections 69-6501 through 69-6517, R.C.M. 1947." Referred to Committee on Natural Resources.

Senate Bill No. 219, introduced by Fasbender, Norman: A bill for an act entitled: "An act to provide for the creation and duties of the office of Code Revisor within the Legislative Council, repealing Section 12-332.1, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 234, introduced by Greely, Fasbender, Galt, Towe: A bill for an act entitled: "An act amending Section 5-527, R.C.M. 1947, to allow savings and loan associations to make the same charges on installment loans as do banks." Referred to Committee on Business and Industry.

Senate Bill No. 238, introduced by Himsl, Greely, Drake: A bill for an act entitled: "An act amending Section 74-608, R.C.M. 1947, to add a new class of industrial equipment under the Retail Installment Sales Act and setting the maximum finance charge for the new class." Referred to Committee on Business and Industry.

Senate Bill No. 274, introduced by Towe, Regan, Conover, Blaylock, Cetrone, Greely, Fasbender: A bill for an act entitled: "An act authorizing the creation of community-based centers for rehabilitating criminal offenders." Referred to Committee on Judiciary.

Senate Bill No. 313, introduced by Brown, R. Smith: A bill for an act entitled: "An act to require county clerks to record and index information regarding subdivisions; amending Sections 16-2902 and 16-2905, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 324, introduced by Towe, Fasbender, Blaylock, Norman, Turnage, Rosell: A bill for an act entitled: "An act amending Sections 87-105 and 87-148, R.C.M. 1947, by providing unemployment compensation coverage to all individuals performing service in the employ of the state, its instrumentalities and political subdivisions, public school districts, and local government units, after July 1, 1975, and making school employees ineligible for benefits during customary school vacation period or during paid sabbatical leave." Referred to Committee on Education.

Senate Bill No. 325, introduced by Towe, Fasbender, Blaylock, Norman, Turnage, Rosell: A bill for an act entitled: "An act authorizing school trustees to establish an unemployment contribution fund for the purpose of budgeting and paying the employer's contribution to the unemployment compensation fund and providing a method for financing." Referred to Committee on Education.

Senate Bill No. 340, introduced by Goodover, McCallum, Mathers, Roberts, Boylan, Fasbender: A bill for an act entitled: "An act to exempt the employees and staff of the School for the Deaf and Blind from the classification and compensation plan; amending Section 59-904, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 342, introduced by Mathers, Fasbender, Graham, Manley, Boylan, Galt: A bill for an act entitled: "An act to revise the property tax laws affecting livestock, amending Sections 84-301, 84-406, 84-202, and 84-5208, R.C.M. 1947, and repealing Sections 84-5202 through 84-5207, R.C.M. 1947." Referred to Committee on Taxation.

Senate Bill No. 388, introduced by Towe: A bill for an act entitled: "An act to provide for the identification, habilitation and human rights of the developmentally disabled; amending Section 80-2312, R.C.M. 1947; and repealing Sections 38-301 through 38-303, and 80-2303 through 80-2309, R.C.M. 1947." Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 63 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch,

Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 72.

Noes: None.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Babcock, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 16.

House Bill No. 223 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bradley, Brand, Dassinger, Driscoll, Dussault, Fabrega, Fagg, Fishbaugh, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Luebeck, Lynch, Magone, Meloy, Menahan, James Moore, Mular, Palmer, Quilici, Richards, Shelden, Sivertsen, Sloan, Staigmilller, Stoltz, Teague, Travis, Vincent, Wolfe. Total 43.

Noes: Aageson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Casey, Ellerd, Ellis, Ellison, Guthrie, Jacobsen, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, Manuel, Marks, Jack Moore, Schye, Scully, Seifert, Smith, Underdal, Williams. Total 28.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Mercer, Murphy, O'Connell, Wood, Wyrick, Yardley, Mr. Speaker. Total 17.

House Bill No. 254 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, Bardanouve, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Palmer, Quilici, Richards, Shelden, Sivertsen, Sloan, Stoltz, Teague, Travis, Vincent, Williams, Wolfe, Mr. Speaker. Total 46.

Noes: Aageson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Casey, Ellerd, Ellison, Fabrega, Helmbrecht, Jacobsen, Johnston, Kropp, Kvaalen, Lien, Lockrem, Lund, Jack Moore, James Moore, Schye, Scully, Seifert, Smith, Staigmilller, Underdal. Total 27.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

House Bill No. 541 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes,

Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe. Total 69.

Noes: Jack Moore, Seifert, Mr. Speaker. Total 3.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Meloy, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 16.

House Bill No. 559 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 67.

Noes: Casey, Ellison, Mercer, Seifert, Smith. Total 5.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Dassinger, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 16.

House Bill No. 652 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Scully, Shelden, Sloan, Staigmiller, Stoltz, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 62.

Noes: Bertelsen, Casey, Johnston, Kendall, Lund, Marks, Schye, Seifert, Smith, Teague. Total 10.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Sivertsen, Wood, Wyrick, Yardley. Total 16.

House Bill No. 684 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Dassinger, Dussault, Ellerd,

Fagg, Fishbaugh, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kummerfeldt, Lien, Lynch, Magone, Manuel, Marks, Meloy, Palmer, Quilici, Richards, Scully, Sheldon, Sivertsen, Staigmiller, Stoltz, Travis, Underdal, Vincent, Williams, Wolfe. Total 46.

Noes: Aageson, Babcock, Barrett, Casey, Driscoll, Ellis, Ellison, Fabrega, Huennekens, Johnston, Kanduch, Kropp, Kvaalen, Lockrem, Lory, Luebeck, Lund, McKittrick, Menahan, Mercer, Jack Moore, James Moore, Mular, Schye, Seifert, Sloan, Smith, Teague. Total 28.

Paired: Gunderson, Hageman, Ayes; McKittrick, Smith, Noes.

Excused: Bengtson, Conroy, Day, Fleming, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 11.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

House Bill No. 369 passed by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Sheldon, Sivertsen, Sloan, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 65.

Noes: C.R. Anderson, Kendall, Kropp, Mercer, Seifert, Smith. Total 6.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Ellison, Fagg, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 17.

House Bill No. 392 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 66.

Noes: Asher, Casey, Guthrie, Lund, James Moore. Total 5.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, Lien, McFadden, Menahan, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 17.

House Bill No. 453 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Day, Driscoll, Dussault, Ellis, Federico, Finley, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kemmis, Kendall, Kimble, Lester, Lien, Luebeck, Magone, Manuel, Meloy, James Moore, Murphy, O'Connell, Palmer, Richards, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Travis, Vincent, Wolfe, Yardley, Mr. Speaker. Total 51.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Casey, Ellerd, Ellison, Fabrega, Fagg, Fishbaugh, Gould, Guthrie, Hager, Hubing, Johnston, Kanduch, Kelly, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lory, Lund, Lynch, McFadden, Marks, Menahan, Mercer, Jack Moore, Mular, Quilici, Robbins, Schell, Seifert, Sivertsen, Smith, Underdal, Williams, Wood, Wyrick. Total 44.

Paired: Bengtson, Day, Federico, Finley, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Helmbrecht, Kimble, Lester, Murphy, O'Connell, South, Yardley, Ayes; Aageson, C.R. Anderson, J. Anderson, Asher, Ellerd, Gould, Hager, Hubing, Lory, McFadden, Robbins, Seifert, Sivertsen, Smith, Williams, Wood, Wyrick, Noes.

Excused: Conroy, Rasmussen, Thomas, Tropila. Total 4.

Absent or not voting: Dassinger. Total 1.

House Bill No. 593 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, Bertelsen, Casey, Ellerd, Ellis, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kropp, Kvaalen, Lien, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Quilici, Schye, Seifert, Sivertsen, Smith, Teague, Underdal, Williams, Wolfe, Mr. Speaker. Total 43.

Noes: Asher, R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Driscoll, Dussault, Ellison, Gunderson, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kemmis, Kummerfeldt, Luebeck, Meloy, James Moore, Palmer, Richards, Scully, Shelden, Sloan, Staigmilller, Stoltz, Travis, Vincent. Total 29.

Paired: Fabrega, Aye; Gunderson, No.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Barrett, Dassinger, Federico, Finley, Gerke, Gilligan, Gould, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 16.

House Bill No. 621 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Fishbaugh, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennkens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, Staigmilller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 65.

Noes: Asher, Casey, Ellerd, Ellison, Guthrie, Kropp, Schye, Smith. Total 8.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

House Bill No. 536 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Vincent, Williams, Wolfe, Mr. Speaker. Total 67.

Noes: Asher, Mercer, Underdal. Total 3.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Fagg, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Schye, Travis, Wood, Wyrick, Yardley. Total 18.

House Bill No. 10 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 73.

Noes: None.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

House Bill No. 670 passed by the following vote:

Ayes: Aageson, C.R. Anderson, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Fabrega, Fagg, Fishbaugh, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Scully, Shelden, Sivertsen, Sloan, Staigmilller, Stoltz, Teague, Travis, Vincent, Williams, Wolfe, Mr. Speaker. Total 55.

Noes: J. Anderson, Asher, Babcock, Barrett, Casey, Ellerd, Ellis,

Ellison, Guthrie, Kvaalen, Lien, Lockrem, Marks, Seifert, Smith, Underdal. Total 16.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: R. Baeth, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Schye, Wood, Wyrick, Yardley. Total 17.

House Bill No. 646 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 69.

Noes: Brand, Mercer. Total 2.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Babcock, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 17.

House Bill No. 295 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Quilici, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Stoltz, Teague, Underdal, Vincent, Williams, Wolfe. Total 64.

Noes: Brand, Johnson, Lockrem, Palmer, Richards, Mr. Speaker. Total 6.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Schye, Staigmiller, Travis, Wood, Wyrick, Yardley. Total 18.

House Bill No. 581 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellis, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 61.

Noes: Babcock, Barrett, Ellerd, Ellison, Fabrega, Kropp, Kvaalen, Lockrem, Marks, Mercer, Schye, Seifert. Total 12.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

House Bill No. 528 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 72.

Noes: Kanduch. Total 1.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

House Bill No. 275 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 72.

Noes: None.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Ellison, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 16.

House Bill No. 424 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James

Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 71.

Noes: Halvorson. Total 1.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Travis, Wood, Wyrick, Yardley. Total 16.

House Bill No. 602 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 69.

Noes: Babcock, Brand, Lockrem, Seifert. Total 4.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

House Bill No. 643 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 73.

Noes: None.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

House Bill No. 666 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fagg, Fishbaugh, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kummerfeldt, Lory, Luebeck, Lynch, Magone, Meloy, Menahan, James Moore, Mular, Palmer, Quilici, Richards, Scully,

Shelden, Sloan, Stoltz, Travis, Vincent, Williams, Wolfe, Mr. Speaker. Total 43.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Ellerd, Ellison, Fabrega, Guthrie, Johnston, Kendall, Kropp, Kvaalen, Lien, Lockrem, Lund, Manuel, Marks, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Smith, Staigmilller, Teague, Underdal. Total 30.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

House Bill No. 672 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 72.

Noes: Johnston. Total 1.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 11.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Travis, Wood, Wyrick, Yardley. Total 16.

House Bill No. 439 passed by the following vote:

Ayes: J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Fishbaugh, Harper, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kendall, Kummerfeldt, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Palmer, Quilici, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, Staigmilller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 52.

Noes: Aageson, C. R. Anderson, Brand, Casey, Ellis, Guthrie, Halvorson, Helmbrecht, Herlevi, Jacobsen, Johnston, Kanduch, Kropp, Kvaalen, Lockrem, Lund, Marks, Mercer, Jack Moore, Seifert, Smith. Total 21.

Excused: Bengtson, Conroy, Day, Fleming, Hageman, Hager, Kimble, Rasmussen, Robbins, South, Thomas, Tropila. Total 12.

Absent or not voting: Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hubing, Lester, McFadden, Murphy, O'Connell, Wood, Wyrick, Yardley. Total 15.

Driscoll moved that the House adjourn until 3:00 p.m., Tuesday, March 4, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 4, 1975

House Chambers
Capitol Building

House convened at 3:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Day, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-sixth Legislative Day, find the same to be correct.

JOHNSTON, Vice-Chairman

REPORTS OF STANDING COMMITTEES

March 4, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 417.

QUILICI, Chairman

February 28, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Joint Resolution No. 8, respectfully report as follows: That Senate Joint Resolution No. 8 be concurred in.

FLEMING, Chairman

Report adopted.

February 28, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 293, respectfully report as follows: That Senate Bill No. 293 be amended in the Third Reading (blue) bill as follows:

1. Amend page 3, section 1, line 10.

Following: "may"

Strike: "(1)"

2. Amend page 3, section 1, line 11.

Following: "sale"

Strike "or (2)"

Insert: ", or"

And as amended, be concurred in.

FLEMING, Chairman

Report adopted.

February 28, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, have the honor to report as follows: That Senate Bill No. 293 be amended in the Third Reading (blue) bill as follows:

gation, having had under consideration Senate Joint Resolution No. 12, respectfully report as follows: That Senate Joint Resolution No. 12 be amended in the Third Reading (blue) copy as follows:

1. Amend page 1, line 22.

Following: "products"

Strike: "to the year 2000"

And as amended, be concurred in.

FLEMING, Chairman

Report adopted.

February 28, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 209, respectfully report as follows: That Senate Bill No. 209 be concurred in.

FLEMING, Chairman

Report adopted.

February 28, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 213, respectfully report as follows: That Senate Bill No. 213 be concurred in.

FLEMING, Chairman

Report adopted.

February 28, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 102, respectfully report as follows: That Senate Bill No. 102 be amended in the Third Reading (blue) copy, as follows:

1. Amend page 1, section 1, subsection (1), line 13.

Following: "between"

Strike: "poles [or towers] shall mean single pole lines only"

Insert: "single or double poles and their respective anchors"

(Material in brackets denotes cancelled type.)

And as amended, be concurred in.

FLEMING, Chairman

Report adopted.

March 4, 1975

I have examined House Resolution No. 3 introduced by me and find the same to be correct.

MENAHAN

March 4, 1975

I have examined House Joint Resolution No. 14 introduced by me and find the same to be correct.

HALVORSON

March 4, 1975

Mr. Speaker: The Committee on Bills reports the following bill and reso-

lutions correctly enrolled: House Bill No. 253, House Joint Resolution No. 14, House Resolution No. 3.

QUILICI, Chairman

March 4, 1975

The following bill and resolutions will be signed on adjournment on March 4, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 253, House Joint Resolution No. 14, House Resolution No. 3.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

February 28, 1975

Mr. Speaker.

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 175, introduced by Brown, Roberts, Drake, et al

Senate Bill No. 223, introduced by Romney, Murphy, Regan

Senate Bill No. 334, introduced by Dunkle, Healy (by request of Department of Licensing)

Senate Bill No. 377, introduced by Towe, Drake, Roberts, et al

Senate Bill No. 387, introduced by Norman, Kolstad, Towe

Senate Bill No. 393, introduced by Towe, Turnage, Fasbender

Senate Bill No. 401, introduced by Stephens, Thiessen, Hazelbaker, et al

Senate Bill No. 402, introduced by Roberts, Greely, Cetrone, et al

Senate Bill No 404, introduced by Lynch, Turnage, Roberts, et al
Respectfully yours,

John N. Hanson
Secretary of the Senate

February 28, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Resolution were this day read three several times, and concurred in, title and history agreed to, and the said bill and joint resolution are herewith returned to the House:

House Bill No. 105, introduced by Johnston, Mular, et al

House Joint Resolution No. 49, introduced by Helmbrecht, Aageson, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

February 28, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill, requiring a two-thirds vote of those present and voting, was this day read three several times, and passed, and is herewith transmitted to the House for concurrence:

Senate Bill No. 206, introduced by Thiessen, Olson, Galt, et al

YEAS - 30

NAYS - 15

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Lynch moved the rules be temporarily suspended and that Senate Bill No. 265 be allowed to be accepted by the House.

Motion carried.

Driscoll moved that House Bills Nos. 11, 53, 54 and 64 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Vincent moved that Senate Bill No. 227 be rereferred from the Committee on Local Government to the Committee on Public Health, Welfare and Safety.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 273, introduced by Roberts: A bill for an act entitled: "An act to impose a roll-back tax upon land classified as timberland which is converted to a use other than forestry." Referred to Committee on Taxation.

Senate Bill No. 275, introduced by Cetrone, Manley, Regan, Greely, Blaylock, Flynn, Dunkle, Fasbender, Towe, Romney: A bill for an act entitled: "An act repealing Section 75-6126, and amending Sections 75-6117, 75-6118, 75-6119, 75-6120, 75-6122, 75-6123, 75-6124, and 75-6125, R.C.M. 1947; providing for the utilization of the Board of Personnel Appeals in controversies arising under the Professional Negotiations Act for Teachers, defining and providing a remedy for unfair practices, and otherwise amending the Professional Negotiations Act for Teachers." Referred to Committee on Education.

Senate Bill No. 306, introduced by Lynch, Lee, Healy: A bill for an act entitled: "An act to require cities of the first and second class to pay full premium for insurance provided under Section 11-1024, R.C.M. 1947, to police in the respective cities, to provide a minimum life insurance coverage, and to provide authority to raise the local mill levy if necessary." Referred to Committee on Local Government.

Senate Bill No. 310, introduced by Greely, Hazelbaker, Towe,

Fasbender, Warden, Turnage, Regan, Roberts, Murphy, Lynch, Watt, Seibel, Devine, Healy: A bill for an act entitled: "An act to provide for a policy of preserving the natural or existing shape, form and course of streams to activities of private persons or organizations; and in so doing to keep soil erosion and sedimentation to a minimum in the state of Montana; and to provide for penalties and enforcement." Referred to Committee on Natural Resources.

Senate Bill No. 206, introduced by Thiessen, Olson, Galt, Aber, Graham, Manley, Kolstad, Dunkle, Brown, Himsl: A bill for an act entitled: "An act to generally revise the laws relating to sovereign immunity and liability insurance for governmental entities; providing for sovereign immunity under certain circumstances: amending and renumbering Section 83-703, R.C.M. 1947, and repealing Sections 83-701, 83-702, 83-704, 83-705, 83-706.1, and 82-4310 through 82-4327, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 175, introduced by Brown, Roberts, Drake, Watt: A bill for an act entitled: "An act to protect lakeshores by requiring a permit for any work which would alter or diminish a lake; requiring local governing bodies to adopt regulations governing the issuance of such permits; providing for variances, judicial review, and funding." Referred to Committee on Natural Resources.

Senate Bill No. 223, introduced by Romney, Murphy, Regan, Jergeson, Kolstad, Himsl, Lee, Blaylock, Healy, Warden, Story, Roskie, Boylan, Flynn, Seibel, Aber, Norman, Colberg, Manley, Thiessen, Cetrone, E. Smith, Galt, Conover, McOmber, R. Smith, Manning, Foster, Watt, Hazelbaker, Etchart, Nelson, Stephens, Fasbender, Devine, Goodover, McCallum, Graham, Dunkle, Towe, Drake, Roberts, Turnage, Brown, Olson, Greeley, Mehrens, Rosell: A bill for an act entitled: "An act to provide for the transfer of real and personal property held in joint tenancy by husbands and wives without court procedures; repealing Section 91-4321, R.C.M. 1947; and providing an immediate effective date." Referred to Committee on Judiciary.

Senate Bill No. 334, introduced by Dunkle, Healy (by request of Department of Licensing): A bill for an act entitled: "An act to generally revise and update laws relating to professional engineers and land surveyors; amending Section 82A-1602.11, R.C.M. 1947; renumbering Sections 66-2329, 66-2331, 66-2332, 66-2333, 66-2334, 66-2335, 66-2337, 66-2340, 66-2344, 66-2346, R.C.M. 1947; and repealing Sections 66-2326, 66-2336, 66-2338, 66-2339, 66-2342, 66-2343, 66-2345, and 66-2347, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 377, introduced by Towe, Drake, Roberts, Brown, Seibel, Fasbender, Regan, Blaylock, Conover, Cetrone, Romney: A bill for an act entitled: "An act to provide for determination and treatment of the seriously mentally ill and those suffering from mental disorders; amending Sections 38-110, 38-212, 38-506, 38-507, and 80-1601; repealing Sections 38-107, 38-108, 38-109, 38-112, 38-113, 38-114, 38-115, 38-116, 38-201, 38-202, 38-203, 38-204, 38-205, 38-206, 38-207, 38-208, 38-208.1, 38-208.2, 38-208.3, 38-209, 38-211, 38-213, 38-401, 38-402, 38-403, 38-404, 38-405, 38-406, 38-406.1, 38-406.2, 38-407, 38-408, 38-408.1, 38-502, 38-503, 38-504, 38-505, and 64-112, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 387, introduced by Norman, Kolstad, Towe: A bill for an act entitled: "An act to provide for the regulation of nonprofit health service corporations." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 393, introduced by Towe, Turnage, Fasbender, Brown: A bill for an act entitled: "An act to change the Consumer Counsel Committee into a committee for the protection of citizens' rights; expanding the membership of the committee; expanding the responsibilities of the committee to review agency action in which rights of citizens are affected by state officers and employees; authorizing the committee to seek corrective action and enforcement in court; amending Sections 70-702, 70-703, and 70-704, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 401, introduced by Stephens, Thiessen, Hazelbaker, Kolstad, Lynch: A bill for an act entitled: "An act establishing a permanent joint Legislative Committee known as the Budget Review Committee granting the committee review and approval power over budget amendments." Referred to Committee on State Administration.

Senate Bill No. 402, introduced by Roberts, Greely, Cetrone, Romney, Manley. A bill for an act entitled: "An act entitled 'The Judicial Office Campaign Finance Act' to provide a method of public financing of judicial campaigns, increasing the attorneys' license tax; creating a judicial office campaign account in the earmarked revenue fund; providing controls and allowable expenditures, amending Sections 93-2010 and 93-2011, R.C.M. 1947 and providing an immediate effective date." Referred to Committee on Judiciary.

Senate Bill No. 404, introduced by Lynch, Turnage, Roberts, Towe: A bill for an act entitled: "An act amending Sections 23-4505 and 23-4508, R.C.M. 1947, to remove the requirement for a primary election for judicial officers when the number of candidates contesting in the primary is the same as the number of candidates to appear on the general election ballot." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 4, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 2 be adopted. (87-0)

That Senate Bill No. 36 be concurred in. (83-3)

That Senate Bill No. 46 be passed to the bottom of the board.

That Senate Bill No. 62 be concurred in. (94-0)

That Senate Bill No. 105 be amended as follows:

1. Amend page 1, section 1, line 19.

Following: "purpose."

Insert: "During an auction only one carcass of either deer, moose, or elk shall be purchased per person. At their discretion, the fish and game department may donate unsold carcasses to welfare departments, public institutions, or charitable institutions." (78-7)

And as amended, be concurred in. (79-30)

That Senate Bill No. 113 be concurred in. (90-7)

That Senate Bill No. 116 be concurred in. (73-17)

That Senate Bill No. 129 be concurred in. (82-5)

Lockrem replaces Scully in the Chair.

That Senate Bill No. 133 be concurred in. (79-14)

Scully resumes the Chair.

That Senate Bill No. 168 be concurred in. (97-0)

That Senate Bill No. 232 be concurred in. (92-0)

That Senate Bill No. 291 be not concurred in. (60-33)

That Senate Bill No. 353 be concurred in. (89-2)

That Senate Joint Resolution No. 27 be passed for the day.

That Senate Amendments to House Bill No. 70 be not concurred in. (79-12)

That Senate Amendments to House Bill No. 78 be concurred in. (90-2)

That Senate Amendments to House Bill No. 167 be concurred in. (86-7)

That Senate Amendments to House Bill No. 465 be concurred in. (88-0)

That Senate Bill No. 46 be concurred in. (68-17)

That the Committee rise and report.

SCULLY, Chairman

Jack Moore moved that House Bill No. 291 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 4, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 230, 233.

QUILICI, Chairman

March 4, 1975

I have examined House Bill No. 253 introduced by me and find the same to be correct.

JOHNSON

March 4, 1975

I have examined House Bill No. 233 introduced by me and find the same to be correct.

JOHNSON

March 4, 1975

I have examined House Bill No. 230 introduced by me and find the same to be correct.

SOUTH

March 4, 1975

The following bills and resolutions will be signed on adjournment on March 4, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 230, 233, Senate Bills Nos. 150, 170, 178.

Edwin A. Smith, Chief Clerk
House of Representatives

March 4, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Joint Resolution No. 9, respectfully report as follows: That Senate Joint Resolution No. 9 be concurred in.

BRADLEY, Chairman

Report adopted.

March 4, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 345, respectfully report as follows: That Senate Bill No. 345 be amended in the Third Reading copy as follows:

1. Amend on page 1, section 1, line 12.

Following: "of"

Strike: "the Open Cut Mining Act"

Insert: "this chapter"

And as amended, be concurred in.

BRADLEY, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion duly carried, requests the return of Senate Bill No. 206 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 265, introduced by Lee (by request of Board of Plumbers)

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Resolution were this day on Committee report, not concurred in, report adopted, and the said bill and joint resolution are herewith returned to the House.

House Bill No. 46, introduced by Kvaalen

House Joint Resolution No. 11, introduced by Jim Moore, Gunderson, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

James Moore moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate amendments to House Bill No. 70.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., March 5, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 5, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following conference committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 70: James Moore, Chairman, John Scully, C. R. Anderson.

REPORTS OF STANDING COMMITTEES

March 5, 1975

The following bill will be signed on adjournment on March 5, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 32.

Edwin A. Smith, Chief Clerk
House of Representatives

March 5, 1975

I have examined House Bill No. 32, introduced by me and find the same to be correct.

O'CONNELL

March 5, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 32.

QUILICI, Chairman

March 5, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 115, respectfully report as follows: That House Bill No. 115 be amended in the introduced bill as follows:

1. Amend page 5, section 3, lines 1 through 7.

Following: "price."

Strike: all remaining material in section 3.

Insert: "A person is not liable for any severance tax upon the first five thousand (5,000) tons of coal he produces in a quarter-year."

2. Amend page 7, section 7, line 8.

Following: "(2)"

Strike: "One-tenth (1/10)"

Insert: "One-twentieth (1/20)"

3. Amend page 17, section 14, line 1.

Following: "Class 9."

Strike: "Forty per cent (40%)"

Insert: "Forty-five percent (45%)"

4. Amend page 17, section 14, line 3.

Following: "Class 10."

Strike: "Forty-five percent (45%)"

Insert: "Forty percent (40%)"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

March 5, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 141, respectfully report as follows: That Senate Bill No. 141 be concurred in.

GERKE, Chairman

Report adopted.

March 5, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 193, respectfully report as follows: That Senate Bill No. 193 be concurred in.

GERKE, Chairman

Report adopted.

March 5, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 194, respectfully report as follows: That Senate Bill No. 194 be concurred in.

GERKE, Chairman

Report adopted.

March 5, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 239, respectfully report as follows: That Senate Bill No. 239 be concurred in.

GERKE, Chairman

Report adopted.

March 5, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 271, respectfully report as follows: That Senate Bill No. 271 be concurred in.

GERKE, Chairman

Report adopted.

MOTIONS

Gunderson moved that Senate Bill No. 368 be rereferred from the Committee on Judiciary to the Committee on Education.

Motion carried.

Jack Moore moved that Senate Bill No. 291 be taken from Second Reading and be rereferred to the Committee on Highways and Transportation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 706, introduced by Kummerfeldt, Helmbrecht, Sivertsen, Kropp, Lien: A bill for an act entitled: "An act appropriating fifty thousand dollars to the Department of Natural Resources and Conservation for a study of possible water importation into the Milk River Basin." Referred to Committee on Appropriations.

Senate Bill No. 265, introduced by Lee (by request of Board of Plumbers): A bill for an act entitled: "An act to amend Section 66-2427, R.C.M. 1947, to provide for a plumbing fixture and supplies, wholesale and retail, sales license by the Board of Plumbers, to provide for a deposit of funds to earmarked revenue fund to be used for administration, inspection and enforcement of the State Plumbing Code and State Plumbing Laws; to provide for evidence of payment of license fee and penalties for violation." Referred to Committee on Labor and Employment.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Seifert in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 5, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 417 do not pass. (54-41)

That Senate Bill No. 102 be concurred in. (92-2)

That Senate Bill No. 209 be concurred in. (87-6)

That Senate Bill No. 213 be concurred in. (71-20)

That Senate Bill No. 293 be concurred in. (91-1)

That Senate Bill No. 345 be concurred in. (88-2)

That Senate Joint Resolution No. 8 be not concurred in. (65-30)

That Senate Joint Resolution No. 9 be concurred in. (98-0)

That Senate Joint Resolution No. 12 be concurred in. (93-0)

That Senate Joint Resolution No. 27 be concurred in. (74-22)

That the Committee rise and report.

SEIFERT, Chairman

Yardley moved that Senate Joint Resolution No. 27 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 5, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution correctly enrolled: House Bill No. 105, House Joint Resolution No. 49.

QUILICI, Chairman

March 5, 1975

I have examined House Joint Resolution No. 49 introduced by me and find the same to be correct.

HELMBRECHT

March 5, 1975

I have examined House Bill No. 105 introduced by me and find the same to be correct.

JOHNSTON

March 5, 1975

The following bill and resolution will be signed on adjournment on March 5, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 105, House Joint Resolution No. 49.

Edwin A. Smith, Chief Clerk
House of Representatives

March 5, 1975

Mr. Speaker. We, your Committee on Legislative Administration recommend that the following be employed by the House of Representatives for the 44th session at the beginning of business February 28, 1975:

Tambra MorganPage

At the beginning of business March 3, 1975, the following also be employed:

Patricia JacksonPage

Myrna Siewing.....Page

Randy Lester.....Page

Cheryl Purdy.....Page

Virginia Baumgart.....Page

Terry Lee Kunkel.....Page

At the beginning of business March 5, 1975, the following also be employed:

Joann JohnsonPage

Michelle Conroy.....Page

At the close of business March 1, 1975, the following also be terminated:

Cheryl Renders	Page
Jane Vollstedt	Page
Kevin Galvin	Page
Jennifer Davis	Page
Jane Meridith	Page
Alona Brester	Page
Jeff Johnson	Page

At the close of business March 4, 1975, the following also be terminated:

James Cain	Page
Larry Watson	Page

LYNCH, Chairman

Report adopted.

March 5, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 99, respectfully report as follows: That Senate Bill No. 99 be concurred in.

KIMBLE, Chairman

Report adopted.

March 5, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 82, respectfully report as follows: That Senate Bill No. 82 be concurred in.

KIMBLE, Chairman

Report adopted.

March 5, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 107, respectfully report as follows: That Senate Bill No. 107 be concurred in.

KIMBLE, Chairman

Report adopted.

March 5, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 7, respectfully report as follows: That Senate Bill No. 7 be concurred in.

SHELDEN, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 78 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan,

Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Lockrem, Mercer, Jack Moore, Underdal. Total 4.

Excused: None.

Absent or not voting: Johnston, Manuel, Sivertsen. Total 3.

Senate Amendments to House Bill No. 167 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 94.

Noes: Lockrem, Wyrick. Total 2.

Excused: None.

Absent or not voting: Bardanouve, Driscoll, Ellison, Manuel. Total 4.

Senate Amendments to House Bill No. 465 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: Casey, Gould, Robbins, Teague, Yardley. Total 5.

Excused: None.

Absent or not voting: Bardanouve, Manuel, Thomas. Total 3.

MOTIONS

Menahan moved that Senate Bill No. 53 be rereferred from the Committee on Judiciary to the Committee on Public Health, Welfare and Safety.

Motion carried.

Huennekens moved that Senate Bill No. 41 be rereferred from the Committee on State Administration to the Committee on Judiciary.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., March 6, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 6, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except J. Anderson and Kimble, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

March 6, 1975

Mr. Edwin A. Smith
Chief Clerk
House of Representatives

Dear Mr. Smith:

I have this date appointed the following Representatives to serve on the Legislative Council:

Francis Bardanouve, Pat McKittrick, Robert Marks, Oscar Kvaalen.

Sincerely,

Pat McKittrick
Speaker of the House

REPORTS OF STANDING COMMITTEES

March 5, 1975

The following bills and resolution will be signed on adjournment on March 5, 1975, in the office of the Speaker of the House of Representatives: House Resolution No. 2, Senate Bill No. 68, Senate Bill No. 184.

Edwin A. Smith, Chief Clerk
House of Representatives

March 6, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 115.

QUILICI, Chairman

March 6, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly enrolled: House Resolution No. 2.

QUILICI, Chairman

March 6, 1975

I have examined House Resolution No. 2 introduced by me and find the same to be correct.

MC KITTRICK

March 5, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 5, 1975: House Bills Nos. 233, 230, 32, 253, 105, House Joint Resolutions Nos. 14, 49, House Resolution No. 3, Senate Bills Nos. 150, 170, 178.

Edwin A. Smith, Chief Clerk
House of Representatives

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 be amended in the introduced bill as follows:

1. Amend page 1, section 2, line 13.

Following: "defined."

Insert: "(1)"

2. Amend page 1, section 2, line 18.

Following: "land."

Insert: new subsections:

"(2) Also excluded from the definition of land is the land, not exceeding five (5) acres, necessary for the use of a dwelling which is to be used as the purchaser's principal residence. As used in this act 'purchaser's principal residence' means the principal dwelling of a person whose domicile is or will be established in the state of Montana. This exclusion from the definition of land does not apply unless the purchaser first executes, upon a form supplied by the department of revenue, a certification that he is domiciled in Montana or will be within sixty (60) days, that the dwelling to be purchased will be used as his principal residence, and that he understands that as a Montana domiciliary all of his income is subject to the jurisdiction of Montana income tax laws.

(3) Additionally, where there is not on the land a dwelling completed and fit for occupancy as the purchaser's principal residence at the time of the transfer of title to the land so excluded from the definition of land:

(a) The purchaser shall certify that the construction of the dwelling will be commenced within one (1) year of the date of transfer of the land and that the dwelling will be completed and occupied within two (2) years of the date of such transfer.

(b) The deed, contract for deed, or other transfer instrument shall state that the amount of the tax of which the transferor has been relieved by virtue of the purchaser's certifications is a lien running with the land in favor of the state of Montana until either the amount of such tax has been paid or the purchaser has filed with the department of revenue a statement under the penalties of perjury that the dwelling was constructed and occupied within the terms and conditions previously certified.

(4) In cases where the department of revenue determines that any certifications made pursuant to this act were untrue, it shall collect

from the buyer the tax upon the profit allocable to the wrongfully excluded land.

(5) If zoning or similar laws or regulations require a minimum of more than five (5) acres for residential property, that number of acres instead of five (5) acres, shall be excluded from the definition of land under the subsection (1) of this section except that not more than ten (10) acres shall be so excluded."

3. Amend page 2, section 4, line 22.

Following: "transfer"

Insert: "by a holder"

4. Amend page 4, section 5, (4), line 24.

Following: "act."

Insert. "If the seller or exchanger has acquired the interest in the property under a contract by the terms of which he received or is to receive title to the property when a series of installment payments are completed, the holding period begins to run when the seller or exchanger files, and the county clerk and recorder records, an abstract of the contract meeting the requirements of section 73-101.1."

5. Amend page 5, section 5 (4), lines 11 to 19.

Following: "gift," (line 13)

Strike: all following material through "title" (line 19)

Insert: "inheritance or devise, or land acquired by the seller in a tax free exchange, the holding period of the grantee, heir or devisee, or seller shall begin to run when the previous owner's holding period began to run under this section"

6. Amend page 6, section 7, lines 3 through 18.

Strike: section 7 in its entirety.

Insert: new section as follows:

"Section 7. Withholding at source — payment. (1) The buyer or transferee of any land held by the seller or transferor for less than six (6) years, shall withhold ten percent (10%) of all consideration paid to the seller or transferor for such land, including ten percent (10%) of all partial payments made pursuant to installment sales. At the time any payment is made to the seller or transferor, the amounts withheld shall be remitted to the department of revenue.

(2) Within thirty days of the sale or exchange of land, for which withholding is required under this section, the seller or transferor shall file a return with the department of revenue setting forth the amount of the tax due under this act and the amount withheld by the buyer or transferee pursuant to this section. The seller shall either remit with the return the balance of the tax due or make claim for a refund. Any refund not made by the department within fifteen (15) days of its receipt of a valid claim shall accrue interest at the rate of one-half of one percent ($\frac{1}{2}\%$) per month. For good cause shown and upon conditions set by it, the department may extend the time for filing the return and paying the tax required by this act.

(3) Notwithstanding either subsection (1) or (2) of this section, the seller or transferor may, in advance of the sale or exchange, pay the tax imposed by this act or obtain a written ruling from the department that no tax is due under this act. In either case the department shall certify to the seller or transferor that such payment has been made or that no tax is due. Upon receipt by the buyer or transferee of such certification from the seller or transferor, the buyer or transferee shall not be required to withhold under subsection (1) of this section.

(4) All taxes required to be paid or withheld under this act shall constitute a personal debt of the person liable to pay or withhold the same to the state of Montana to be recovered in an action on this statute.

(5) An action may be brought to recover the amount of the taxes to be paid or withheld in the manner prescribed for recovering amounts owed for taxes under section 84-4301. The amount of taxes to be paid or withheld shall be a lien in favor of the state of Montana upon all property and rights to property, whether real or personal, belonging to the person liable for the tax or for the withholding. The lien shall be enforced in the manner prescribed by section 84-3808."

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 53, respectfully report as follows: That Senate Bill No. 53 be concurred in.

MENAHAN, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 182, respectfully report as follows: That Senate Bill No. 182 be concurred in.

MENAHAN, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 190, respectfully report as follows: That Senate Bill No. 190 be concurred in.

MENAHAN, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 674, respectfully report as follows: That House Bill No. 674 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 12.

Following: "(\$.25)"

Insert: "per wheel"

2. Amend page 1, section 1, lines 12, 13, 14.

Following: "vehicle"

Strike: ", except motor trucks, truck-tractors, and busses required to pay additional fees under Title 32, chapter 33"

Insert: "of ten thousand (10,000) GVW or less"

And as amended, do pass.

YARDLEY, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your committee on Education, having had under consideration Senate Bill No. 89, respectfully report as follows: That Senate Bill No. 89 be concurred in.

GUNDERSON, Chairman

Report adopted.

March 6, 1975

Mr. Speaker. We, your Committee on Taxation, having had under consideration House Bill No. 506, respectfully report as follows: That House Bill No. 506 do pass.

YARDLEY, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 614, respectfully report as follows: That House Bill No. 614 do not pass.

YARDLEY, Chairman

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 403, respectfully report as follows: That House Bill No. 403 do not pass.

YARDLEY, Chairman

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 do not pass.

YARDLEY, Chairman

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 94, respectfully report as follows: That House Bill No. 94 do not pass.

YARDLEY, Chairman

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 673, respectfully report as follows: That House Bill No. 673 do not pass.

YARDLEY, Chairman

Objection raised by Johnson on the adverse committee report on House Bill No. 614. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

March 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 49, introduced by Mular, Helmbrecht, et al

House Bill No. 578, introduced by Babcock, Rasmussen

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee of the Whole, indefinitely postponed, report adopted, and the said bills are herewith returned to the House:

House Bill No. 123, introduced by Murphy, Dassinger

House Bill No. 294, introduced by Lien, Kummerfeldt, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Lien moved that Senate Bill No. 116 be taken from Third Reading and be placed on Second Reading.

Motion carried.

Driscoll moved that Senate Bill No. 113 be taken from Third Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Driscoll moved that the House accede to the request of the Senate and return Senate Bill No. 206 to the Senate.

Motion carried.

Menahan moved that Senate Bill No. 353 be taken from Third Reading and be placed on Second Reading.

Motion carried.

Day moved that the House request the Senate to return Senate Joint Resolution No. 8 and that the House reconsider its action of the previous legislative day in failing to pass Senate Joint Resolution No. 8 on Second Reading.

Motion carried.

Meloy moved that amendments to all House Bills shall be received by this body through the Sixty-third Legislative Day pursuant to Section 6-34 of the joint rules.

Motion carried.

Meloy moved that the transmittal deadline for appropriations bills be moved from the Fiftieth Legislative Day to the Fifty-seventh Legislative

Day, and the transmittal deadline for revenue bills be moved from the Fiftieth Legislative Day to the Fifty-second Legislative Day, and that no appropriations bills, excepting those dealing with long-range building programs, may be introduced after the Fifty-first Legislative Day.

Motion carried.

Asher moved that Senate Bill No. 279 be rereferred from the Committee on Natural Resources to the Committee on Fish and Game.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

House Bill No. 707, introduced by McKittrick, Driscoll, Meloy, Murphy, Richards, Kimble, Bradley, Mular, Huennekens, James Moore, Yardley, Scully, Kemmis, R. Baeth, Hageman, Vincent, Dussault, Bengtson, Williams, Herlevi, Halvorson, Kummerfeldt, Teague, Tropila, Conroy, Palmer, Staigmillier, Johnston, McFadden, Lester, Menahan, Harper, Kendall, Shelden, Holmes, Fishbaugh, W. Baeth, Magone, Manuel, Johnson, Helmbrecht, Lien, Kelly, Finley, Travis, Wolfe, Stoltz, Gunderson, Fleming, Gwynn, Luebeck, O'Connell, Robbins, Gilligan, Day: A bill for an act entitled: "An act to appropriate to the Legislative Council one hundred thousand dollars to pay for an audit of every primary and general election campaign for certain statewide offices in 1972; and providing an effective date." Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

March 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 7, respectfully report as follows: That Senate Joint Resolution No. 7 be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 13, respectfully report as follows: That Senate Joint Resolution No. 13 be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 24, respectfully report as follows: That Senate Bill No. 24 be amended in the Third Reading bill as follows:

1. Amend page 2, section 2, line 9.

Following: "of"

Strike: "four (4)"

Insert: "three (3) years and the other member for an initial term of five (5)"

And as amended, be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 64, respectfully report as follows: That Senate Bill No. 64 be concurred in.

YARDLEY, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 147, respectfully report as follows: That Senate Bill No. 147 be concurred in.

YARDLEY, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 146, respectfully report as follows: That Senate Bill No. 146 be concurred in.

YARDLEY, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 37, respectfully report as follows: That Senate Bill No. 37 be concurred in.

BRADLEY, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 145, respectfully report as follows: That Senate Bill No. 145 be concurred in.

YARDLEY, Chairman

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Finley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 6, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 7 be concurred in. (82-12)

That Senate Bill No. 82 be concurred in. (53-33)

That Senate Bill No. 99 be concurred in. (62-29)

That Senate Bill No. 107 be concurred in. (78-8)

That Senate Bill No. 141 be concurred in. (87-1)

That Senate Bill No. 193 be concurred in. (88-0)

That Senate Bill No. 194 be concurred in. (89-0)

That Senate Bill No. 239 be concurred in. (88-5)

That Senate Bill No. 271 be concurred in. (78-0)

That Senate Joint Resolution No. 27 be amended as follows:

1. Amend the title, line 6.

Before: "congress"

Insert: "President and the" (87-0)

And be further amended:

2. Page 2, line 25.

Following: "the"

Insert: "President and the"

3. Page 3, line 6.

Following: "the"

Insert: "President of the United States and the" (89-0)

And as amended, be concurred in. (91-0)

That Senate Bill No. 353 be passed for the day.

That the Committee rise and report.

FINLEY, Chairman

MOTIONS

Lynch moved that the following names be added as additional sponsors to House Bill No. 707: Quilici, Dassinger, Kanduch, South, and Thomas.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 6, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 283, respectfully report as follows: That Senate Bill No. 283 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 294, respectfully report as follows: That Senate Bill No. 294 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 6, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 189, respectfully report as follows: That Senate Bill No. 189 be amended in the Third Reading bill as follows:

1. Amend page 4, section 4, subsection (1), line 23.

Following: "clerk"

Strike: ", [or]"

Insert: "or"

2. Amend page 4, section 4, subsection (1), line 23.

Following: "district clerk"

Strike: ", or"

3. Amend page 4, section 4, subsection (1), lines 24 and 25.

Following: "[seal.]"

Strike: "the respective deputy"

4. Amend page 4, section 4, subsection (3), line 4.

Following: "clerk"

Strike: ", [or]"

Insert: "or"

5. Amend page 4, section 4, subsection (3), line 4.

Following: "district clerk,"

Strike: "or the respective deputy,"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 36 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: Fagg, Gunderson, Yardley. Total 3.

Excused: J. Anderson, Kimble. Total 2.

Absent or not voting: Gerke, Meloy, Schye. Total 3.

Senate Bill No. 46 was not concurred in by the following vote:

Ayes: Asher, R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Fleming,

Gould, Gunderson, Hageman, Hager, Helmbrecht, Herlevi, Holmes, Hubing, Kemmis, Kropp, Lory, Magone, Marks, Mercer, James Moore, Palmer, Rasmussen, Sloan, Stoltz, Wolfe, Yardley, Mr. Speaker. Total 37.

Noes: Aageson, C. R. Anderson, Babcock, Barrett, Bengtson, Casey, Conroy, Dassinger, Day, Fabrega, Finley, Fishbaugh, Gilligan, Guthrie, Gwynn, Halvorson, Harper, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Manuel, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Quilici, Richards, Robbins, Scully, Seifert, Sivertsen, Smith, South, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick. Total 57.

Excused: J. Anderson, Kimble. Total 2.

Absent or not voting: Gerke, Schye, Shelden, Staigmiller. Total 4.

Senate Bill No. 62 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Sloan, Teague. Total 2.

Excused: J. Anderson, Kimble. Total 2.

Absent or not voting: Gerke. Total 1.

Senate Bill No. 105 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Federico, Finley, Fleming, Gilligan, Gould, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Lester, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 61.

Noes: Aageson, C. R. Anderson, Asher, Babcock, Barrett, Casey, Conroy, Day, Ellerd, Ellison, Fabrega, Fagg, Fishbaugh, Gunderson, Gwynn, Hager, Kendall, Kvaalen, Lien, Lockrem, Lory, Lund, Mercer, Jack Moore, Murphy, Schye, Seifert, Sivertsen, Sloan, Smith, Wood, Wyrick, Yardley. Total 33.

Excused: J. Anderson, Kimble. Total 2.

Absent or not voting: Gerke, Guthrie, Rasmussen, Thomas. Total 4.

Senate Bill No. 129 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth,

Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 91.

Noes: Asher, Conroy, Ellerd, Finley, Wyrick. Total 5.

Excused: J. Anderson, Kimble. Total 2.

Absent or not voting: Gerke, Wood. Total 2.

Senate Bill No. 133 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lund, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Brand, Ellis, Finley, Gould, Harper, Kanduch, Kelly, Lockrem, Luebeck, Lynch, Meloy, Mercer, Mular, Quilici, Rasmussen, Seifert, Smith, Wolfe, Wood. Total 19.

Excused: J. Anderson, Kimble. Total 2.

Absent or not voting: Ellison, Gerke. Total 2.

Senate Bill No. 232 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Brand. Total 1.

Excused: J. Anderson, Kimble. Total 2.

Absent or not voting: Gerke. Total 1.

Driscoll moved that the House adjourn until 1:30 p.m., March 7, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTIETH LEGISLATIVE DAY

Helena, Montana
March 7, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church.

Pledge of Allegiance to the Flag.

Roll call. All members present except Kimble, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 7, 1975

I have examined House Bill No. 78 introduced by me and find the same to be correct.

JOHNSON

March 7, 1975

I have examined House Bill No. 67 introduced by me and find the same to be correct.

MANUEL

March 7, 1975

I have examined House Bill No. 167 introduced by me and find the same to be correct.

LYNCH

March 7, 1975

I have examined House Bill No. 465 introduced by me and find the same to be correct.

HAGER

March 7, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 67, 78, 167, 465.

QUILICI, Chairman

March 7, 1975

The following bills will be signed on adjournment on March 7, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 67, 78, 167, 465.

Edwin A. Smith, Chief Clerk
House of Representatives

March 6, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 506, 614.

QUILICI, Chairman

March 7, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 6, 1975: Senate Bills Nos. 68, 184.

Edwin A. Smith, Chief Clerk
House of Representatives

March 7, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 56, respectfully report as follows: That Senate Bill No. 56 be concurred in.

KIMBLE, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 57, respectfully report as follows: That Senate Bill No. 57 be concurred in.

KIMBLE, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Resolution No. 18, respectfully report as follows: That Senate Joint Resolution No. 18 be concurred in.

SHELDEN, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 215, respectfully report as follows: That Senate Bill No. 215 be concurred in.

SHELDEN, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 296, respectfully report as follows: That Senate Bill No. 296 be concurred in.

SHELDEN, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 260, respectfully report as follows: That Senate Bill No. 260 be concurred in.

GERKE, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 328, respectfully report as follows: That Senate Bill No. 328 be concurred in.

GERKE, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 248, respectfully report as follows: That Senate Bill No. 248 be concurred in.

GERKE, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 94, respectfully report as follows: That Senate Bill No. 94 be concurred in.

YARDLEY, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 34, respectfully report as follows: That Senate Bill No. 34 be concurred in.

YARDLEY, Chairman

Report adopted.

March 7, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 229, respectfully report as follows: That Senate Bill No. 229 be concurred in.

GERKE, Chairman

Report adopted.

Objection raised by Lockrem to the adverse committee report on House Bill No. 14. Referred to Second Reading.

Objection raised by Vincent to the adverse committee report on House Bill No. 94. Referred to Second Reading.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 673 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel,

Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Robbins, Scully, Seifert, Shelden, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Fagg, Lockrem, Rasmussen, Richards, South. Total 5.

Excused: Kimble. Total 1.

Absent or not voting: R. Baeth, Bardanouve, Brand, Casey, Hager, Helmbrecht, Huennekens, Lester, Mular, Palmer, Schye, Sivertsen. Total 12.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 403 was adopted by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, James Moore, Murphy, O'Connell, Quilici, Richards, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 75.

Noes: Asher, Barrett, Fabrega, Fagg, Hubing, Kropp, Kvaalen, Lockrem, Mercer, Jack Moore, Rasmussen, Schye, Wood, Wyrick. Total 14.

Excused: Kimble. Total 1.

Absent or not voting: Ellerd, Hager, Helmbrecht, Huennekens, Lester, Manuel, Mular, Palmer, Scully, Seifert. Total 10.

SPECIAL ORDERS OF THE DAY

The Speaker appointed the following committee to escort the Honorable Thomas L. Judge, Governor, and Captain Eugene Cernan to the rostrum: Lynch, Dussault, and Jack Moore.

Governor Judge then introduced Captain Eugene Cernan, NASA Astronaut of Gemini 9, Apollo 10 and Apollo 17, to the members of the assembly. Captain Cernan briefly addressed the House.

The Committee escorted the Governor and Captain Cernan from the chambers.

MESSAGES FROM THE OTHER HOUSE

March 6, 1975

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 145, introduced by Gunderson, Thomas, et al

House Bill No. 162, introduced by Kimble

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 6, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 70.

The President appointed the following members: Senator Towe, Chairman, Senator Manley, Senator Galt.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 6, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read three several times, and concurred in, title and history agreed to, and the said joint resolution is herewith returned to the House:

House Joint Resolution No. 1, introduced by Bradley

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 6, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, titles and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 72, introduced by Jack Moore, Fabrega, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

James Moore moved that Senate Bill No. 7 be taken from Third Reading and be placed on Second Reading this day.

Motion carried.

Menahan moved that Senate Bill No. 24 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Meloy moved that Senate Bill No. 251 be rereferred from the Committee on Appropriations to the Committee on Highways and Transportation.

Motion carried.

Johnson moved that consideration of House Bill No. 614 now on Second Reading be passed this legislative day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 102 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Luebeck, Mercer, Seifert. Total 3.

Excused: Kimble. Total 1.

Absent or not voting: Ellerd, Hager. Total 2.

Senate Bill No. 168 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Kimble. Total 1.

Absent or not voting: Dassinger, Ellerd, Kendall. Total 3.

Senate Bill No. 209 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis,

Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 89.

Noes: Gunderson, Holmes, Huennekens, Lockrem, Mular, Palmer, Stoltz, Yardley. Total 8.

Excused: Kimble. Total 1.

Absent or not voting: Ellerd, Travis. Total 2.

Senate Bill No. 213 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Aageson, Asher, R. Baeth, Bardanouve, Fishbaugh, Gwynn, Hager, Helmbrecht, Jacobsen, Kummerfeldt, McFadden, Manuel, Murphy, Sivertsen, Sloan, Tropila. Total 16.

Excused: Kimble. Total 1.

Absent or not voting: Ellerd, Travis. Total 2.

Senate Bill No. 293 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: Palmer. Total 1.

Excused: Kimble. Total 1.

Absent or not voting: Ellerd. Total 1.

Senate Bill No. 345 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould,

Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmler, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Kimble. Total 1.

Absent or not voting: Ellerd, Lockrem, Travis. Total 3.

Senate Joint Resolution No. 9 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmler, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Kimble. Total 1.

Absent or not voting: Helmbrecht, Travis. Total 2.

Senate Joint Resolution No. 12 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmler, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Kimble. Total 1.

Absent or not voting: Bengtson, Ellerd, Travis. Total 3.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

House Bill No. 708, introduced by Fabrega, Jack Moore, Gunderson, Gilligan, Staigmiller, O'Connell, McFadden, Thomas, Tropila, Lester, McKittrick: A bill for an act entitled: "An act appropriating eight hundred sixty-six thousand dollars to the Department of Administration for land acquisition, construction, and equipping of a mental health center." Referred to Committee on Appropriations.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Ellis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 7, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 353 be concurred in. (65-21)

That House Bill No. 115 do pass. (96-0)

That House Bill No. 506 do pass. (90-4)

That Senate Bill No. 37 be concurred in. (89-1)

That Senate Bill No. 53 be not concurred in. (59-32)

Day excused at this time.

That Senate Bill No. 64 be concurred in. (75-2)

That Senate Bill No. 89 be concurred in. (81-0)

That Senate Bill No. 116 be amended as follows:

1. Amend page 6, section 1, subsection (4)(c), lines 10 and 11.

Following: "in the"

Strike: "[state] county, city, or town as set forth in section 16-2618(1)"

Insert: "state" (73-1)

And be further amended:

2. Amend page 6, section 1, subsection (4)(c), lines 10 and 11.

Following: "in the"

Reinstate: "[state] county, city, or town as set forth in section 16-2618(1)" (68-2)

And as amended, be not concurred in. (48-42)

That Senate Bill No. 145 be concurred in. (74-5)

That Senate Bill No. 146 be concurred in. (75-0)

That Senate Bill No. 147 be concurred in. (72-3)

That Senate Bill No. 182 be concurred in. (80-1)

That Senate Bill No. 189 be passed for the day.

That Senate Bill No. 190 be concurred in. (78-3)

That Senate Bill No. 283 be concurred in. (85-0)

That Senate Bill No. 294 be concurred in. (79-8)

That Senate Joint Resolution No. 7 be concurred in. (77-4)

That Senate Joint Resolution No. 13 be concurred in. (85-0)

That Senate Bill No. 7 be passed for the day.

That in accordance with joint rule 6-28, Senate Bill No. 53 be placed on Third Reading.

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

ELLIS, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 7, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 374, 674, 14, 94.

JOHNSTON, Vice-Chairman

March 7, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 7, 1975: House Bills Nos. 67, 78, 167, 465.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

March 7, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 32, 105, 230, 233, 253.

Sincerely,

THOMAS L. JUDGE
Governor

March 7, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 68, 150, 170, 178, and 184.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

March 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Joint Resolution No. 8, and is herewith returning the said resolution to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted and the said bill is herewith returned to the House:

House Bill No. 225, introduced by Wm. Baeth, Magone

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Jacobsen moved that Senate Bill No. 113 be taken from the Committee on Appropriations and be placed on Third Reading.

Motion carried.

Driscoll moved that the House adjourn until 1:00 p.m., March 8, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 8, 1975

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Bardanouve, Scully, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, and Wyrick, all excused.

Quorum present.

Mr. Speaker. We, your Committee on Bills and Journal, having examined the daily journal for the Fiftieth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 8, 1975

Mr. Speaker: The Committee on Bills reports the following bills considered correctly engrossed: House Bills Nos. 115, 506.

JOHNSTON, Vice-Chairman

March 8, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 216, respectfully report as follows: That Senate Bill No. 216 be concurred in.

MENAHAN, Chairman

Report adopted.

March 8, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 276, respectfully report as follows: That Senate Bill No. 276 be concurred in.

MENAHAN, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 206, requiring a two-thirds vote of each house, was this day read three several times, and passed, and is herewith transmitted to the House with the following vote:

YEAS - 34
NAYS - 16

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 117, introduced by Kendall, Fagg

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and passed, titles and history agreed to, and the said bills and resolution are herewith returned to the House:

House Bill No. 124, introduced by Murphy, Dassinger

House Bill No. 169, introduced by Robbins, McFadden, et al

House Bill No. 246, introduced by Jim Moore, Jacobsen, et al

House Bill No. 249, introduced by Schye, Meloy

House Bill No. 287, introduced by Jim Moore, Scully, et al

House Bill No. 288, introduced by Jim Moore, Bradley, et al

House Bill No. 315, introduced by Gerke

House Bill No. 482, introduced by Mular, Ellis, et al

House Joint Resolution No. 36, introduced by Mular, Kimble, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 679, introduced by McKittrick, Driscoll, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Palmer moved that consideration of Senate Bill No. 260 be passed this legislative day.

Motion carried.

Fagg moved that the House request the Senate to return Senate Bill No. 116 to the House and to reconsider its action of the previous legislative day in failing to pass Senate Bill No. 116 on Second Reading.

Motion carried.

Gunderson moved to add the following names as co-sponsors on House Resolution No. 4: W. Baeth, Stoltz, Gunderson, Kimble, Shelden and Fleming.

Motion carried.

Vincent moved that consideration of House Bill No. 94 be passed this legislative day.

Motion carried.

Johnson moved that consideration of House Bill No. 614 be passed this legislative day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 4, introduced by Harper: A Resolution of the House of Representatives of the State of Montana requesting the appointment of a Special Select Committee on Censure, to investigate the campaign practices, preceding the 1974 Montana general election. Referred to Committee on Rules.

House Bill No. 709, introduced by Dussault: A bill for an act entitled: "An act appropriating moneys for the operation of the Mental Disabilities Board of Visitors." Referred to Committee on Appropriations.

House Bill No. 710, introduced by McKittrick: A bill for an act entitled: "An act appropriating moneys to the Department of Institutions for salaries and fringe benefits for members of the Board of Pardons." Referred to Committee on Appropriations.

Senate Bill No. 206, introduced by Thiessen, Olson, Galt, Aber, Graham, Manley, Kolstad, Dunkle, Brown, Himsl: A bill for an act entitled: "An act to generally revise the laws relating to sovereign immunity and liability insurance for governmental entities; providing for sovereign immunity under certain circumstances; amending and renumbering Section 83-703, R.C.M. 1947, and repealing Sections 83-701, 83-702, 83-704, 83-705, 83-706.1, and 82-4310 through 82-4327, R.C.M. 1947." Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 53 was not concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, Bengtson, Casey, Conroy, Day, Ellison, Fagg, Fishbaugh, Gerke, Halvorson, Hubing, Johnston, Kelly, Kropp, Kvaalen, Lockrem, Lynch, McFadden, Manuel, Mercer, Jack Moore, Mular, Palmer, Quilici, Rasmussen, Sivertsen, Underdal, Williams, Wood. Total 32.

Noes: Asher, R. Baeth, W. Baeth, Barrett, Bertelsen, Bradley, Brand, Driscoll, Dussault, Ellis, Fabrega, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Kanduch, Kemmis, Kendall, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Magone, Marks, Meloy, Menahan, James Moore, Murphy, O'Connell, Robbins, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Travis, Vincent, Wolfe, Yardley, Mr. Speaker. Total 55.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Kimble, Schye, Scully, Wyrick. Total 8.

Absent or not voting: Finley, Huennekens, Richards, Thomas, Tropila. Total 5.

Senate Bill No. 82 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Day, Driscoll, Dussault, Ellis, Fagg, Finley, Fleming, Gerke, Gould, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Johnson, Johnston, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Shelden, South, Staigmiller, Stoltz, Teague, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 58.

Noes: Aageson, Asher, Babcock, Barrett, Casey, Ellison, Fabrega, Fishbaugh, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Kanduch, Kropp, Lockrem, Lund, Mercer, Jack Moore, Murphy, Robbins, Seifert, Sivertsen, Sloan, Smith, Underdal, Wood. Total 27.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Gunderson, Huennekens, Thomas, Travis, Yardley. Total 5.

Senate Bill No. 99 was concurred in by the following vote:

Ayes: Aageson, J. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Conroy, Day, Driscoll, Dussault, Ellis, Fagg, Fleming, Gerke, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 61.

Noes: C. R. Anderson, Asher, Babcock, Casey, Ellison, Fabrega, Fishbaugh, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Kropp, Kvaalen, Lockrem, Lund, Manuel, Marks, Mercer, Jack Moore, Seifert, Sloan, Smith, Underdal, Wood. Total 25.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Bertelsen, Finley, Huennekens, Thomas. Total 4.

Senate Bill No. 107 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 83.

Noes: Casey, Driscoll, Hager, Mercer, Seifert, Smith. Total 6.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Huennekens. Total 1.

Senate Bill No. 113 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 83.

Noes: Brand, Day, Hubing, Kvaalen, Seifert. Total 5.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Huennekens, Travis. Total 2.

Senate Bill No. 141 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 86.

Noes: Lockrem, Jack Moore, Mular. Total 3.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Huennekens. Total 1.

Senate Bill No. 193 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 87.

Noes: Harper. Total 1.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Huennekens, Lockrem. Total 2.

Senate Bill No. 194 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 87.

Noes: Lockrem, Mercer. Total 2.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Huennekens. Total 1.

Senate Bill No. 239 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: Brand, Gwynn, Menahan, Sloan. Total 4.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Huennekens, Travis. Total 2.

Senate Bill No. 271 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 87.

Noes: Guthrie, Smith. Total 2.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Huennekens. Total 1.

Senate Joint Resolution No. 27 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Bardanouve, Dassinger, Ellerd, Federico, Gilligan, Kimble, McFadden, Schye, Scully, Wyrick. Total 10.

Absent or not voting: Hubing, Huennekens. Total 2.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Kendall in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 8, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 7 be amended as follows:

1. Amend page 10, section 2, subsection (7), line 25.

Strike: the period.

Insert: "which is subject to the jurisdiction of any state or federal court of record." (72-0)

And as amended, be concurred in. (71-8)

Dassinger present at this time.

That Senate Bill No. 189 be concurred in. (76-7)

That House Bill No. 14 do not pass. (55-34)

That House Bill No. 374 do pass. (53-37)

That House Bill No. 674 be amended as follows:

1. Amend title, page 1, line 6.

Following: "counties"

Strike: "and cities"

2. Amend page 1, section 2, line 18.

Following: "revenues."

Strike: "(1)"

3. Amend page 1, section 2, line 19.

Following: "shall"

Strike: "allocate"

Insert: "deposit"

4. Amend page 1, section 2, line 20.

Following: "tax"

Strike: "according to the following formula."

Insert: "in the county general fund."

5. Amend page 1, section 2, lines 21 through 25 and page 2, lines 1 through 5.

Strike: the remainder of section 2 in its entirety. (68-14)

Federico present at this time.

And as amended, do not pass. (65-22)

That the Committee rise and report and beg leave to sit again.

KENDALL, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 8, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 334, respectfully report as follows: That Senate Bill No. 334 be amended in the Third Reading bill as follows:

1. Amend page 20, section 11, line 7.

Following: "projects,"

Insert: "or licensed architect for architectural projects,"

And as amended, be concurred in.

BRAND, Chairman

Report adopted.

March 8, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 84, respectfully report as follows: That Senate Bill No. 84 be concurred in.

BRAND, Chairman

Report adopted.

March 8, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 257, respectfully report as follows: That Senate Bill No. 257 be concurred in.

BRAND, Chairman

Report adopted.

March 8, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 83, respectfully report as follows: That Senate Bill No. 83 be concurred in.

BRAND, Chairman

Report adopted.

March 8, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 121, respectfully report as follows: That Senate Bill No. 121 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 7.

Following: "nonalcoholic"

Strike: "substances"

Insert: "substance"

2. Amend page 5, section 1, subsection (25), line 17.

Strike: "substances"

Insert: "substance"

And as amended, be concurred in.

JAMES MOORE,
Vice-Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 3, introduced by Quilici

House Bill No. 122, introduced by Yardley

House Bill No. 149, introduced by Seifert, Lockrem, et al

House Bill No. 163, introduced by Menahan

House Bill No. 175, introduced by Magone, William Baeth

House Bill No. 214, introduced by Jack Moore, Lockrem, et al

House Bill No. 322, introduced by Wolfe, Driscoll

House Bill No. 484, introduced by Brand

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 89, introduced by Holmes, W. Baeth, et al

House Bill No. 91, introduced by Kendall, Shelden

House Bill No. 92, introduced by Kendall, Seifert, et al

House Bill No. 343, introduced by Shelden, Manuel

House Bill No. 487, introduced by Brand

House Bill No. 574, introduced by Manuel, Murphy, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Brand moved that Senate Bill No. 130 be rereferred from the Committee on State Administration to the Committee on Judiciary.

Motion carried.

The House recessed until the conclusion of the Joint Session Memorial Services.

SPECIAL ORDERS OF THE DAY

JOINT SENATE AND HOUSE MEMORIAL SERVICES

Helena, Montana
March 8, 1975

Senator McOmber, President of the Senate, called the Joint Session of the House and Senate to order at 3:00 p.m., Saturday, March 8, 1975.

Senator Lynch moved that the Joint Session be convened for the purpose of a Joint Memorial Service honoring past Representatives and Senators.

President McOmber welcomed the Senators, Representatives and guests to the Joint Memorial Service.

The Prelude was by Ernie Neath.

Invocation by Father McCormick, Chaplain of the Senate.

Vera Gerke sang "Let Not Your Heart Be Troubled", accompanied by Ernie Neath.

Meditation.

The Starlighters from Helena Senior High School sang "Crucifixus".

Father McCormick presented the Senate Memorials.

Memorials for the following are in the Senate Journal:

Oscar Balgord
Andrew Dahl
Wesley D'Ewart

C. H. Minette
W. B. Spear
Sid G. Stewart
H. W. Stoutenburg
Ralph R. Tower
R. Dale Woods

L. D. Gibson
Charles Grandey
James Edward McKenna

Motions were made by the Senate Necrology Committee that the foregoing memorials be spread upon the Journal and copies thereof be sent to the immediate members of the families and to the Montana Historical Society.

Motions carried.

The Starlighters sang "How Excellent is Thy Name".

Father O'Donnell, Chaplain of the House of Representatives, presented the House Memorials:

CARL AHLGREEN, former Representative from Lake County, died October 4, 1974 in Ronan at the age of 95.

Carl was born December 18, 1879 in Rancers, Denmark. At the age of 16, he went to sea and at the age of 19 he and two other sailors jumped ship in Philadelphia. He first made his way to the Colorado mining country and finally to Montana and the copper mining country in Butte.

In 1934, Ahlgreen came to the North Crow Creek Country to farm and became an active member of that community. He was elected to the House of Representatives in 1935, where he was deeply involved in the Farmers Union, and the creating of the Dairymans Co-op.

It was in the Legislature that Ahlgreen was designated "Admiral of the Scandanavian Navy on Flathead Lake", a traditional title bestowed by the Legislature. He also belonged to the Ronan Masonic Lodge 131.

Survivors include his widow, a son, stepdaughter, stepson, eight grandchildren, and eleven great-grandchildren.

CHARLES M. "CURLEW" ALLEN, former Custer County Representative, died in Miles City, July 11, 1973.

Allen was born May 8, 1888, in Grayson County, Texas, coming to Montana in 1905, where he worked on cattle ranches in the Box Elder Creek area. In 1913 he filed a homestead on Pumpkin Creek and later operated the post office at Volborg. He served as county road supervisor for twelve years and as Custer County sheriff for sixteen years.

Allen was elected to the State House of Representatives in 1955 and served as Custer County Representative in 1956 - 1957.

Mr. Allen was active in Masonic Lodge, York Rite Bodies, Al Bedoo Shrine, Elks Lodge, the Range Riders and the First Methodist Church.

Surviving are the widow, three daughters, one son, nine grandchildren, and six great-grandchildren.

LEROY "BUD" ASPEVIG, Representative from Hill County, died May 21, 1973 near Rudyard. Aspevig was a professional crop duster and died in a crash while he was attempting to land his airplane.

Mr. Aspevig served as a director of Our Saviors Lutheran Church in Rudyard. He served his country in World War II as a pilot for the Army Air Corps and upon completion of his military duty he returned to his home in Rudyard at which time he joined the Rudyard VFW Post 5726 and remained very active in the VFW until the time of his untimely death.

Mr. Aspevig served the citizens of Hill County as their Representative in the House of Representatives in Helena, Montana, for three terms. Aspevig was an authority on state fiscal affairs and served in the House during the 1967, 1968, and 1971 sessions. He was defeated in a tie vote in 1972.

Survivors include his wife, one son, one daughter, his mother and three brothers.

A. LEROY "ROY" ATKINSON, former Lake County Representative, died May 15, 1974, in Missoula, following a brief illness.

Mr. Atkinson was born September 13, 1887, in Dubuque, Iowa. He came to Montana in 1910 and homesteaded in the Ronan area, where he ranched for the remainder of his life.

He was active in community affairs and was a member of Ronan Lodge 131 AF & AM, Algeria Shrine of Helena. He was a past president and director of the Federal Land Bank and a member of the School Board of Ronan.

Mr. Atkinson represented Lake County in the Montana House of Representatives for six terms — 1943, 1945, 1947, 1951, 1953, and 1957.

He is survived by his wife, one son, and one daughter, seventeen grandchildren and seven great-grandchildren.

DEAN C. CHAFFIN, former Gallatin County Representative, died September 3, 1974 in Phoenix, Arizona. Chaffin was born in Hamilton and attended school in Columbus. He and his family moved to Bozeman in 1926.

Dean Chaffin served five terms in the Montana House of Representatives. He was Speaker Pro Tempore in 1947 and Speaker of the House in 1953. In 1947 he was chairman of the Montana Elementary and Secondary Education Commission which drew up plans for the present school foundation program for financial support from the state.

Mr. Chaffin was one of the group of people who developed and promoted the first airport in Gallatin County and was a long-time member of the Gallatin Airport Board. He was past president of the Bozeman and Montana Chamber of Commerce. He was founder and past president of the Montana Traffic Safety Council and served as a member of the Governor's Highway Planning Board and the President's Committee for Traffic Safety.

Survivors in addition to the widow, are three daughters, ten grandchildren, and thirteen great-grandchildren.

JUDGE WALTER B. FLACHSENHAR died July 27, 1972 in Laguna Hills, California. Flachsenhar was born July 15, 1888 at Mankato, Minnesota. Several years after graduating from the University of Minnesota, he came to Montana where he practiced law in Terry.

Prior to being elected Judge of the 16th Judicial District in Forsyth, Flachsenhar was a member of the House of Representatives from Prairie County for several sessions and served as floor leader, Republican whip and Speaker of the House. He fathered the aviation laws now on the statutes of the state of Montana. He was very active in the Republican Party and was past commander of the Prairie Post of the American Legion at Terry. He was past president of the Montana Judges Association.

Former Representative Flachsenhar is survived by his widow and two foster children.

HOMER E. GEIS, former Fergus County Representative died in Los Angeles, December 25, 1973.

Geis, a Lewistown and Winnett lawyer founded the Winnett Times in 1914 and was its owner and publisher until 1919. Although moving to California, he was proud of his Central Montana days and retained his membership in the Montana Bar Association until his death.

During his years in California, Mr. Geis was an attorney in the legal division of the California Trust Company, retiring from that position in 1958.

He was the first Grand Chef de Gare of 40 et 8 of Montana. A veteran of both world wars, he attended the U. S. Naval Academy and served as a lieutenant with the Navy in World War I and the Coast Guard in World War II. He was a fifty year member of the Winnett American Legion Post and served that post as its first Commander. Mr. Geis was a graduate of the Georgetown University Law School, Washington, D. C., and a 32nd degree Mason.

Homer E. Geis represented Fergus County as a representative in the Montana House of Representatives in 1921.

Survivors include two daughters and seven grandchildren.

LEO C. GRAYBILL died in Great Falls September 27, 1973, at the age of 79. Mr. Graybill had put in a day's work at his law office and asked his son, Leo, Jr. to take him to the hospital where he passed away two hours later.

Mr. Graybill represented Cascade County for seven consecutive terms in the House of Representatives, serving as Speaker in 1949 and again in 1955. He was a Democratic candidate for Congress in 1945. He served as Democratic National Committeeman for ten years and affectionately was referred to by all as "Mr. Democrat". His personal drive and decisiveness made him a national leader and he used those to fight the "little man's" battles in the courtroom, political arena and in civic affairs.

Leo Graybill was born July 23, 1894 in Shelbyville, Illinois. He served in the Infantry in World War I. He started practicing law in Belt, Montana in 1921 and while living there organized a Boy Scout Troop, helped organize the Belt Lions Club and also organized Belt's first public library. These were just a few of his civic activities. He married Miss Atta Hutchinson of Wilsall in 1922. He established a law practice in Great Falls where they made their home. He was also involved in the livestock and banking business as well as countless community services.

He is survived by his wife, son, daughter, six grandchildren and two sisters.

WALTER JENSEN, former Cascade County representative died May 14, 1973 in Great Falls.

Jensen was born February 7, 1886 in Minneapolis. He attended schools in Great Falls and graduated from the Montana College of Mineral Science and Technology with a degree in mining engineering.

He started in the brewery business with his father in the old Montana Brewery. It later became the malt plant for the Great Falls Breweries.

During prohibition years, he operated automobile agencies in Great Falls and in 1931 became president of Great Falls Motor Distributors Association. He was president of the Great Falls Breweries until his retirement.

Jensen was elected to the House of Representatives in 1932 as a Democrat and served one term.

He was one of the prime movers in bringing professional Pioneer League baseball to Great Falls. Mr. Jensen was very active in civic affairs.

He is survived by his widow, daughter, two sons, and ten grandchildren.

A native of Helena, LESTER HENRY LOBLE was born on April 9, 1893. Early in high school, Mr. Loble decided to dedicate his life to law and the service of Montanans. He attended school in New York and returned to Montana in 1914 to launch a legal and political career.

He served two terms in the House, 1923 - 1926. In 1923, as a freshman lawmaker, Mr. Loble wrote the nation's first old-age pension law. During his second term, he served as Minority Floor Leader. A few years later, President Roosevelt summoned him to Washington to assist in drafting the first U. S. Social Security legislation.

All this was far overshadowed by the nationwide attention that came to him as judge of the First Judicial District to which he was elected in 1956. From his firm belief on juvenile justice came the Loble Law which put him in the spotlight and brought both praise and denunciation.

One of Loble's proudest achievements was the establishment of a foundation funded by fees and royalties from his speaking engagements and publications. This foundation helps troubled and delinquent juveniles in both public and private institutions.

Judge Loble died December 4th, 1974, at the age of 81. His survivors include his widow, a son, a daughter, three grandchildren, and three great-grandchildren.

DWIGHT MASON, former Representative from Missoula County, died in Missoula, February 22, 1974. He was born March 24, 1884 at Channelton, Indiana. He was a graduate of the University of Montana and received his law degree from the University of Indiana.

Mason was a member of the House of Representatives during the 1914 and 1916 sessions, serving as chairman of the Judiciary Committee in the latter session.

He was Missoula's City Attorney and later County Attorney from 1918 to 1928. He served as mayor of Missoula from 1937 to 1947.

Mason was president of the Montana Municipal League in 1945 and

was a member of the 4th Judicial District Bar Association. In 1961 he received a fifty year certificate and pin for "Distinguished Service" to the legal profession from the Montana Bar Association. He was also a recipient of the Boy Scouts American "Silver Beaver Award" for distinguished service.

Dwight Mason is survived by five daughters, three sons, one sister and many grandchildren.

Representative HENRY MERNIN, Silver Bow legislator, died June 4, 1974. He served in the 1941, 1949, 1957, 1959 and 1961 sessions.

He was born on Butte's East Side and attended Butte Schools. He was a barber by profession, retiring in the fall of 1973 after being in business for forty-seven years in Butte. Mr. Mernin was active in the Democratic Party and the Butte Trades and Labor Council.

Representative Mernin is survived by his wife, two daughters and sons-in-law, one brother, one sister and six grandchildren.

HOBART D. MYRICK, former Chouteau County Representative died in Bozeman, December 29, 1973.

Mr. Myrick was born at Mertelle, Iowa, in 1909. He attended schools in Iowa and later began a banking career in Iowa. As a young man he moved to Stanford, Montana, where he was involved in the banking business. Later he homesteaded near Square Butte where he was instrumental in the establishment of the Community Church.

Mr. Myrick was president of the Square Butte Elevator Company for twenty years and during this time he became involved with the growing of foundation seed stock for new wheat varieties. He also experimented with summer fallowing and new machinery adaptation and introduced strip farming to this area.

Mr. Myrick was actively involved with the school board, was president of the Chouteau County Farm Bureau during World War I and the drought years and served for several years as a board member of the Federal Reserve Bank in Helena.

Representing Chouteau County, he served in the Montana House of Representatives in 1923.

Survivors include three sons.

ORVILLE ROSTAD, former Meagher County Representative, died in Miami, Florida, February 17, 1974.

Mr. Rostad was born December 30, 1903, in the Lennep area. He attended schools in Castle, Lennep, and Bozeman. He was associated with his father and brother in ranching, establishing his home at Bozeman Fork, west of Lennep. He was elected and served in the Montana House of Representatives during the 1949 and 1951 sessions.

Mr. Rostad was a member of the Diamond City Masonic Lodge of White Sulphur Springs and Al Bedoo Shrine of Billings. He was actively involved in the Meagher County Historical Society, and the Meagher County Stockgrowers Association.

Survivors include his widow, a son, two grandsons, a brother and a sister.

FRANCIS A. SILVER, former Representative from Silver Bow County, died July 14, 1973 in Arlington, Virginia.

Representative Silver was a native of Butte where he served on the city council and city commission. He also served on various federal boards and councils including the Office of Transportation as general counsel.

He served in the House of Representatives in 1921 from Silver Bow County and as the U. S. Attorney for Montana.

He retired in 1965 in Arlington where he lived until his death.

Francis Silver is survived by two daughters and a son.

RANDALL R. TEEPLE, former Representative from Lincoln County, died September 14, 1973 in Libby.

Teeples was born October 23, 1902 in Dollar Settlement, Michigan, and moved to Libby in 1923. He was employed in the lumber industry. He served in the House of Representatives for two sessions beginning in 1966. He was active in Democratic organizations. He worked with young people as an advisor for the Sea Scouts through the American Legion and was one of Libby's first scoutmasters. Mr. Teeples also served on the Lincoln County Fair Board and was a 4-H leader in forestry.

He is survived by his wife and two sisters.

WILLIAM VAN DYKE, former Wheatland County Representative died in Harlowton, November 24, 1973.

Van Dyke was born January 11, 1883 in Bozeman, his parents moved the next year to Flathead Lake County. When he was nine years old his parents died and he was raised by relatives and attended school in Bozeman. Van Dyke moved to Chestnut where he had a business and post office. When the mines closed, he moved to Red Lodge. In 1909 he moved to Harlowton and remained in Wheatland County for sixty-six years where he ran various businesses in the county.

In 1948, he was elected to the House of Representatives and served three sessions.

Survivors include his wife, a son and three grandchildren.

BURTON K. WHEELER, former Butte legislator, died January 6, 1975 in Washington, D. C. He was born February 27, 1882 in Hudson, Massachusetts, traveled to Montana in 1905 where he set up a law practice in Butte.

Wheeler served in the Montana legislature in 1910 and in 1912 was appointed a Federal District Attorney. 1912 also saw Wheeler appointed to the first of two terms in the U. S. House of Representatives.

Wheeler won national attention in the first of his four U. S. Senate terms when he participated in the investigation which exposed the "Teapot Dome Scandal" during the Harding administration. He was drafted as a vice-presidential candidate for the LaFollette Party in 1924, which rebelled against platforms of the established parties.

Burton Wheeler is survived by six children.

EDMUND McHAFFIE, former Lewis and Clark County representative died in Helena, December 18, 1973.

He was born May 27, 1894 in Helena and attended Helena schools. After graduation he entered the armed forces and upon completing his service, joined the State Publishing Company, where he became president.

For forty-four years he was director at the Northwest Bank and Union Trust Company and for six years a director with the Federal Reserve Bank.

McHaffie served in the Montana legislature in 1957.

He is survived by his widow, one daughter and one sister, several nieces and nephews.

Motions were made by the House Necrology Committee that the foregoing resolutions be spread upon the Journal and copies thereof be sent to the immediate members of the families and to the Montana Historical Society.

Motion carried.

Benediction by Father O'Donnell.

Senator McOmber declared the Joint Session adjourned.

NECROLOGY COMMITTEE OF THE SENATE

NECROLOGY COMMITTEE OF THE HOUSE;

Representative Robbins, Chairman

Representative Halvorson

Representative Dassinger

Representative Smith

Representative Guthrie

The House resumed at 4:15 p.m., Mr. Speaker in the Chair.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Kendall in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 8, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Mercer excused at this time.

That Senate Bill No. 34 be concurred in. (65-1)

That Senate Bill No. 56 be concurred in. (70-0)

That Senate Bill No. 57 be amended as follows:

1. Amend section 1, page 1, line 12.

Following: "claimant"

Insert: "or any other party" (69-1)

And as amended, be concurred in. (73-0)

Bardanouve present at this time. Sivertsen excused at this time.

That Senate Bill No. 94 be concurred in. (70-0)

That Senate Bill No. 215 be concurred in. (69-3)

That Senate Bill No. 229 be concurred in. (50-22)

W. Baeth replaces Kendall in the Chair.

That Senate Bill No. 248 be concurred in. (74-0)

Kendall resumes the Chair.

That Senate Bill No. 296 be concurred in. (70-2)

That Senate Bill No. 328 be concurred in. (72-0)

That Senate Joint Resolution No. 8 be not concurred in. (39-32)

That Senate Joint Resolution No. 18 be passed for the day.

That Senate Amendments to House Bill No. 72 be concurred in. (72-1)

That the Committee rise and report.

KENDALL, Chairman

James Moore moved that Senate Joint Resolution No. 8 be segregated from the Committee of the Whole report and as amended be adopted.

Motion failed.

Thereupon, the report was adopted.

REPORTS OF STANDING COMMITTEES

March 8, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed. House Bill No. 374.

JOHNSTON, Vice-Chairman

Driscoll moved that the House adjourn until 1:30 p.m., March 10, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 10, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fabrega, Lien, Schye, Staigmiller, Meloy, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

SPECIAL ORDERS OF THE DAY

The Speaker introduced Dan Newman, Administrator of the Division of Human Resources, Department of Intergovernmental Relations, who presented the members with Constituency Profiles for each Legislative District.

REPORTS OF STANDING COMMITTEES

March 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 224, respectfully report as follows: That Senate Bill No. 224 be concurred in.

GERKE, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 301, respectfully report as follows: That Senate Bill No. 301 be concurred in.

GERKE, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 313, respectfully report as follows: That Senate Bill No. 313 be concurred in.

GERKE, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had

under consideration Senate Bill No. 318, respectfully report as follows:
That Senate Bill No. 318 be concurred in.

GERKE, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 375, respectfully report as follows:
That Senate Bill No. 375 be concurred in.

GERKE, Chairman

Report adopted.

March 10, 1975

Mr. Speaker We, your Committee on Business and Industry, having had under consideration Senate Bill No. 164, respectfully report as follows: That Senate Bill No. 164 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 16.

Following: "the"

Strike "Montana"

2. Amend page 1, section 1, line 16.

Following: "department"

Strike: "of revenue"

3. Amend page 1, following line 18.

Insert. a new section 2 as follows:

"Section 2. Conditions to renumbering. If a bill to recodify and generally revise the alcoholic beverage control laws is enacted by the 44th legislature, section 4-117 as amended in section 1 of this act is renumbered in accordance with the other act."

And as amended, be concurred in.

SHELDEN, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 98, respectfully report as follows:
That Senate Bill No. 98 be concurred in.

SHELDEN, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 69, respectfully report as follows:
That Senate Bill No. 69 be concurred in.

SHELDEN, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration Senate Joint Resolution No. 15, respectfully report as follows: That Senate Joint Resolution No. 15 be concurred in.

SHELDEN, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 58, respectfully report as follows: That Senate Bill No. 58 be concurred in.

KIMBLE, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 114, respectfully report as follows: That Senate Bill No. 114 be concurred in.

KIMBLE, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 119, respectfully report as follows: That Senate Bill No. 119 be concurred in.

KIMBLE, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 340, respectfully report as follows: That Senate Bill No. 340 be concurred in.

KIMBLE, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 385, respectfully report as follows: That Senate Bill No. 385 be concurred in.

KIMBLE, Chairman

Report adopted.

MOTIONS

Kendall moved that the House reconsider its action of the previous legislative day in passing on Second Reading Senate Bill No. 189.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 10, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 127, respectfully report as follows: That Senate Bill No. 127 be concurred in.

YARDLEY, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 160, respectfully report as follows: That Senate Bill No. 160 be concurred in.

YARDLEY, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and introduced to Committee:

House Bill No. 711, introduced by James Moore: A bill for an act entitled: "An act appropriating three hundred twenty-six thousand five hundred one dollars to the Montana Code Commission to implement recodification of the Revised Codes of Montana, 1947." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Wolfe in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 10, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 94 do not pass. (52-42)

That House Bill No. 614 be passed below Senate Bill No. 334 on the board.

That Senate Bill No. 260 be concurred in. (76-12)

That Senate Joint Resolution No. 18 be concurred in. (84-0)

That Senate Bill No. 83 be concurred in. (89-0)

That Senate Bill No. 84 be concurred in. (89-0)

That Senate Bill No. 121 be concurred in. (82-0)

That Senate Bill No. 216 be concurred in. (83-3)

That Senate Bill No. 257 be concurred in. (64-28)

That Senate Bill No. 276 be passed for the day.

That Senate Bill No. 334 be amended as follows:

1. Amend page 22, section 15, subsection (2), lines 8, 9 and 10.

Following: "superintendent"

Insert: a period.

Strike: lines 9 and 10 in their entirety. (69-16)

And as amended, be concurred in. (81-4)

That House Bill No. 614 be amended as follows.

1. Amend page 4, section 4, subsection (1), line 16.

Following: "first"

Strike: "two"

Insert: "one"

2. Amend page 4, section 4, subsection (1), line 16.

Following: "dollars"

Strike: "(\$2,000)"

Insert: "(\$1,000)"

3. Amend page 4, section 4, subsection (3), line 22.

Following: "next"

Strike: "three"

Insert: "two"

4. Amend page 4, section 4, subsection (3), line 22.

Following: "dollars"

Strike: "(\$3,000)"

Insert: "(\$2,000)"

5. Amend page 4, section 4, subsection (4), line 25.

Following: "next"

Strike: "three"

Insert: "five"

6. Amend page 4, section 4, subsection (4), line 25.

Following: "dollars"

Strike: "(\$3,000)"

Insert: "(\$5,000)" (76-5)

And as amended, be passed for the day.

That Senate Amendments to House Bill No. 3 be concurred in. (86-0)

That Senate Amendments to House Bill No. 122 be concurred in. (83-0)

That Senate Amendments to House Bill No. 149 be passed for the day.

That Senate Amendments to House Bill No. 163 be concurred in. (81-0)

That Senate Amendments to House Bill No. 175 be concurred in. (76-7)

That Senate Amendments to House Bill No. 214 be concurred in. (85-0)

That Senate Amendments to House Bill No. 322 be concurred in. (84-0)

That Senate Amendments to House Bill No. 484 be concurred in. (89-0)

That Senate Amendments to House Bill No. 679 be concurred in. (88-1)

That the Committee rise and report.

WOLFE, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 10, 1975

The following bill will be signed on adjournment on March 10, 1975, in the office of the Speaker of the House of Representatives: Senate Bill No. 19.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

March 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 255, introduced by Dunkle (by request of Department of Fish and Game)

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 116, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in as amended, titles and history agreed to, and the said bills and resolution are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 116, introduced by Casey, Lund, et al

House Bill No. 195, introduced by Kvaalen, Wm. Baeth, et al

House Bill No. 220, introduced by Brand, Menahan, et al

House Bill No. 261, introduced by Jack Moore, Johnston, et al

House Bill No. 418, introduced by Mular, Kelly, et al

House Bill No. 474, introduced by Bertelsen, Kropp, et al

House Bill No. 627, introduced by Conroy, Bengtson, et al

House Joint Resolution No. 3, introduced by Halvorson, Bardanouve, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 136, introduced by Barrett, Gunderson, et al

House Bill No. 150, introduced by R. Baeth, Manuel, et al

House Bill No. 151, introduced by R. Baeth, Manuel, et al

House Bill No. 206, introduced by Gunderson, Stoltz, et al

House Bill No. 212, introduced by McKittrick, Driscoll, et al

House Bill No. 457, introduced by Gilligan, Johnson, et al

House Bill No. 514, introduced by Brand, W. Baeth, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House amendments to Senate Bill No. 105 were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that House Bill No. 614 be taken from Second Reading and be referred to the Committee on Taxation for further study.

Motion carried.

Driscoll moved that the rules be temporarily suspended and Senate Amendments to House Bill No. 679 be placed on Third Reading this day.

Motion carried.

Kendall moved that Senate Bill No. 189 be taken from Second Reading and be rereferred to the Committee on Judiciary.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 115 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn,

Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Robbins, Seifert, Smith, Wood. Total 4.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: Bardanouve, Federico. Total 2.

House Bill No. 374 passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Federico, Fishbaugh, Fleming, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Yardley. Total 53.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Day, Ellerd, Fagg, Finley, Gerke, Gould, Guthrie, Gwynn, Hager, Hubing, Johnston, Kanduch, Kendall, Kropp, Kvaalen, Lockrem, Lund, Marks, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Scully, Seifert, Sivertsen, Sloan, Smith, Tropila, Underdal, Wood, Wyrick, Mr. Speaker. Total 40.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: Bardanouve, Ellison. Total 2.

House Bill No. 506 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 91.

Noes: Bardanouve, Yardley. Total 2.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: Day, Scully. Total 2.

Senate Bill No. 64 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy,

Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 89.

Noes: Aageson, Brand, Ellison, Fagg, Lockrem, Wyrick. Total 6.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: None.

Senate Bill No. 182 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 89.

Noes: Guthrie, Lockrem, James Moore, Sloan, Mr. Speaker. Total 5.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: Babcock. Total 1.

Senate Bill No. 283 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: None.

Senate Bill No. 294 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy,

Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Brand, Casey, Gunderson, Guthrie, Hubing, Kanduch, Kendall, Lockrem, Lynch, Menahan, Mercer, Jack Moore, Quilici, Seifert, Smith, Tropila. Total 16.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: None.

Senate Bill No. 353 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Halvorson, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Lynch, McFadden, Magone, Manuel, Marks, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 72.

Noes: Aageson, Bardanouve, Casey, Driscoll, Dussault, Ellison, Guthrie, Gwynn, Hageman, Hager, Harper, Herlevi, Kemmis, Kropp, Lockrem, Luebeck, Lund, Menahan, Mercer, Mular, Richards, Robbins, Travis. Total 23.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: None.

Senate Joint Resolution No. 7 was concurred in by the following vote:

Ayes: Aageson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 80.

Noes: C. R. Anderson, J. Anderson, R. Baeth, Casey, Ellison, Guthrie, Hubing, Kvaalen, Lockrem, Magone, Marks, Robbins, Seifert, Wood, Wyrick. Total 15.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: None.

Senate Joint Resolution No. 13 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: Ellerd, Halvorson, Palmer. Total 3.

Senate Amendments to House Bill No. 72 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: Gerke, Halvorson. Total 2.

Senate Amendments to House Bill No. 679 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Fabrega, Lien, Meloy, Schye, Staigmiller. Total 5.

Absent or not voting: Gerke, Halvorson, Marks. Total 3.

Driscoll moved that the House adjourn until 1:30 p.m., March 11, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 11, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 11, 1975

The following bill was signed in the office of the Speaker of the House of Representatives on March 10, 1975: Senate Bill No. 19.

Edwin A. Smith, Chief Clerk
House of Representatives

March 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 247, respectfully report as follows: That Senate Bill No. 247 be concurred in.

GUNDERSON, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 317, respectfully report as follows: That Senate Bill No. 317 be concurred in.

GUNDERSON, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 384, respectfully report as follows: That Senate Bill No. 384 be concurred in.

GUNDERSON, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, line 10.

Following: "district, the"

Strike: "one"

Insert: "three"

2. Amend page 2, section 1, line 11.

Following: "term of"

Strike: "seven (7)"

Insert: "three (3)"

3. Amend page 2, section 1, line 12.

Strike: "one"

Insert: "two"

4. Amend page 2, section 1, line 13.

Following: "of"

Strike: "six (6)"

Insert: "two (2)"

5. Amend page 2, section 1, line 13.

Following: "years,"

Insert: "and"

6. Amend page 2, section 1, line 13.

Following: "the"

Strike: "one"

Insert: "two"

7. Amend page 2, section 1, lines 14 through 20.

Following: "term of"

Strike: "five (5) years, the one receiving the next greatest number of votes for a term of four (4) years, the one receiving the next greatest number of votes for a term of three (3) years, the one receiving the next greatest number of votes for a term of two (2) years, and the elected one receiving the least number of votes for a term of"

8. Amend page 2, section 1, line 23.

Following: "lot the"

Strike: "one"

Insert: "three"

9. Amend page 2, section 1, line 23.

Following: "for"

Strike: "seven (7)"

Insert: "three (3)"

10. Amend page 2, section 1, line 24.

Following: "years, the"

Strike: "one"

Insert: "two"

11. Amend page 2, section 1, line 24.

Following: "for"

Strike: "six (6)"

Insert: "two (2)"

12. Amend page 2, section 1, line 24.

Following: "years,"

Insert: "and"

13. Amend page 2, section 1, line 24.

Following: "the"

Strike: "one"

Insert: "two"

14. Amend page 2, section 1, line 25, and page 3, lines 1 through 3.

Following: "for"

Strike: "five (5) years, the one who shall serve for four (4) years, the one who shall serve for three (3) years, the one who shall shall serve for two (2) years, and the one who shall serve for"

And as amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 243, respectfully report as follows: That Senate Bill No. 243 be concurred in.

GUNDERSON, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), lines 16 and 17.

Strike: "combination of planned efforts to provide a service"

Insert: "governmental entity designated in this act"

2. Amend page 2, section 1, subsection (3) (a), line 2.

Following: "fund"

Insert: "and other than receipts to the state from the United States government made available under the provisions of the State and Local Fiscal Assistance Act of 1972 or any special revenue sharing program enacted by congress"

3. Amend page 2, section 1, subsection (3) (c), line 7.

Following: "biennium"

Insert: "In approving a budget amendment, the approving authority shall certify

(i) specific additional services to be provided as a result of a higher expenditure level;

(ii) that no other alternative is available to provide the additional services;

(iii) that the additional proposed services have not been considered and rejected by the legislature; and

(iv) that no commitment, implied or otherwise, is made for increased future general fund support."

4. Amend page 2, section 2, line 12 through page 3, line 23.

Following: "appropriated"

Strike: the remainder of section 2, all of sections 3, 4, 5, 6, and 7 and renumber subsequent sections.

Insert: new sections 3 and 4 as follows:

"Section 3. Expenditures shall not exceed appropriations except as otherwise provided in this act.

Section 4. Each department, agency and program of the executive branch shall submit to the budget director by July 1 of each fiscal year a detailed budget within the limits of the appropriation which includes the position and salary of each employee. Expenditures shall be made only in accordance with budgets approved by the budget director for executive branch agencies; by the chief justice of the supreme court for judicial branch agencies; and by the appropriate legislative committees for legislative branch agencies."

5. Amend page 4, lines 5 through 10.

Following: "by the"

Strike: the remainder of present section 8.

Insert: "1975 legislature except as otherwise provided in this act."

6. Amend page 4, section 9, lines 11 through 15.

Following: "Section 9."

Strike: the remainder of present section 9.

Insert: "All federal funds received as a reimbursement for the cost of administering the federal funds when the cost was financed from the general fund shall revert to the general fund."

7. Amend page 4, section 10, line 21.

Following: "(2)"

Strike: "operation of the legislature"

Insert: "the legislative branch"

8. Amend page 4, section 10, line 23.

Following: "the"

Strike: "judiciary"

Insert: "judicial branch"

IN SECTION 13:

9. Amend page 8, line 7.

Following: "FPRA"

Strike: "1,022,597" 1,128,535"

Insert: "1,422,597" 1,528,535"

10. Amend page 8, line 9.

Following: "fund"

Strike: "500,000" 500,000"

Insert: "488,861" 487,436"

11. Amend page 8.

Strike: all of lines 24 and 25.

12. Amend page 9.

Strike: all of lines one (1) through seven (7).

13. Amend page 9, line 8.

Following: "Total"

Strike: "10,922,570" 11,495,374"

Insert: "10,281,431" 10,822,810"

14. Amend page 9, line 11.

Following: "fund"

Strike: "66,185" 71,905"

Insert: "58,333" 58,333"

15. Amend page 9, line 16.

Following: "fund"

Strike: "355,451" 381,025"

Insert: "366,744 393,185"

16. Amend page 9, line 21.

Following: "fund"

Strike: "129,894 137,487"

Insert: "112,059 118,050"

17. Amend page 10, line 1.

Following: "fund"

Strike: "1,263,067 1,356,729"

Insert: "1,238,424 1,330,772"

18. Amend page 10, line 9.

Following: "fund"

Strike: "367,397 389,105"

Insert: "259,897 273,605"

19. Amend page 10, line 14.

Following: "fund"

Strike: "919,318 1,029,245"

Insert: "787,190 885,256"

20. Amend page 10, line 16.

Following: "ERA"

Strike: "1,200,000"

Insert: "950,000"

21. Amend page 11, line 6.

Following: "Total"

Strike: "11,624,026 11,837,230"

Insert: "11,095,361 11,530,935"

22. Amend page 11, line 10.

Following: "fund"

Strike: "222,132 243,712"

Insert: "206,279 225,625"

23. Amend page 11, line 18.

Following: "fund"

Strike: "107,341 114,748"

Insert: "133,598 143,688"

24. Amend page 11, line 23.

Following: "fund"

Strike: "126,567 132,912"

Insert: "78,797 81,433"

25. Amend page 12, line 1.

Following: "Total"

Strike: "586,157 625,171"

Insert: "548,791 584,545"

26. Amend page 12, line 23.

Following: "ERA"

Strike: "1,275,887 1,436,069"

Insert: "1,220,887 1,376,069"

27. Amend page 13, line 14.

Following: "Total"

Strike: "4,143,047 4,399,739"

Insert: "4,088,047 4,339,739"

28. Amend page 13, line 17.

Following: "fund"

Strike: "74,393 85,810"

Insert: "152,543 84,510"

29. Amend page 13, following line 17.

Insert: "From the fiscal 1976 appropriations \$79,450 shall be transferred to the legislative audit revolving account to finance an audit of fiscal affairs and transactions of the department of revenue, such an audit to be conducted during the fiscal year ending June 30, 1976. All unused portions of the audit appropriations shall revert to the general fund on June 30, 1976."

30. Amend page 13, line 21.

Following: "fund"

Strike: "384,301 409,090"

Insert: "347,299 368,764"

31. Amend page 13, following line 21.

Insert: "From the earmarked revenue fund 02300 gubernatorial campaign fund.

all funds
available

all funds
available

In accordance with Section 23-4904, R.C.M. 1947."

32. Amend page 13, line 25.

Following: "fund"

Strike: "130,419 140,346"

Insert: "110,007 118,191"

33. Amend page 14, line 12.

Following: "ERA"

Strike: "46,685,269 49,608,780"

Insert: "46,247,773 49,144,795"

34. Amend page 14, line 14.

Following: "fund"

Strike: "1,090,691 4,653,459"

Insert: "998,860 1,064,477"

35. Amend page 14, following line 18.

Insert: "From the moneys received by the department as a result of audits performed by the Multi-state Tax Commission, an amount sufficient to pay Montana's pro rata share of the cost of performing such audits."

36. Amend page 14, line 20.

Following: "fund"

Strike: "5,467,663 5,838,097"

Insert: "6,503,250 5,994,662"

37. Amend page 14, line 22.

Following: "fund"

Strike: "234,029 249,326"

Insert: "177,708 190,986"

38. Amend page 15, line 3.

Following: "ERA"

Strike: "343,594 373,115"

Insert: "330,699 359,646"

39. Amend page 15, line 8.

Following: "fund"
 Strike: "190,910 203,120"
 Insert: "177,955 189,652"

40. Amend page 15, line 21.

Following: "Total"
 Strike: "61,085,325 68,495,096"
 Insert: "61,530,150 64,449,636"

41. Amend page 19, line 21.

Following: "fund"
 Strike: "713,434 760,246"
 Insert: "671,557 717,844"

42. Amend page 20, line 12.

Following: "fund"
 Strike: "711,339 751,088"
 Insert: "666,682 706,096"

43. Amend page 20, line 14.

Following: "fund"
 Strike: "708,249 807,056"
 Insert: "661,885 757,597"

44. Amend page 20, line 16.

Following: "fund"
 Strike: "235,225 220,130"
 Insert: "218,157 202,403"

45. Amend page 20, line 21.

Following: "fund"
 Strike: "686,382 825,331"
 Insert: "620,136 743,180"

46. Amend page 21, line 7.

Following: "fund"
 Strike: "1,169,955 1,215,291"
 Insert: "909,830 973,007"

47. Amend page 21, line 20.

Following: "Total"
 Strike: "7,226,570 7,436,117"
 Insert: "6,750,233 6,957,102"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 252, respectfully report as follows: That Senate Bill No. 252 be concurred in and be rereferred to the Appropriations Committee.

W. BAETH, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 253, respectfully report

as follows: That Senate Bill No. 253 be concurred in and be rereferred to the Appropriations Committee.

W. BAETH, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 254, respectfully report as follows: That Senate Bill No. 254 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, subsection (b), line 25.

Following: "vehicle"

Insert: "and, persons driving farm trucks or hauling farm products for producers of said farm products who drive any vehicle forty-eight thousand (48,000) pounds gross weight or less"

And as amended, be concurred in.

The Committee recommends this bill be rereferred to the Appropriations Committee.

W. BAETH, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 285, respectfully report as follows: That House Bill No. 285 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), lines 16 and 17.

Strike: "combination of planned efforts to provide a service"

Insert: "governmental entity designated in this act"

2. Amend page 2, section 1, subsection (3)(a), line 2.

Following: "fund"

Insert: "and other than receipts to the state from the United States government made available under the provisions of the State and Local Fiscal Assistance Act of 1972 or any special revenue sharing program enacted by congress"

3. Amend page 2, section 1, subsection (3)(c), line 7.

Following: "biennium."

Insert: "In approving a budget amendment, the approving authority shall certify

(i) specific additional services to be provided as a result of a higher expenditure level;

(ii) that no other alternative is available to provide the additional services;

(iii) that the additional proposed services have not been considered and rejected by the legislature; and

(iv) that no commitment, implied or otherwise, is made for increased future general fund support."

4. Amend page 2, section 2, lines 12 through page 3, line 23.

Following: "appropriated."

Strike: the remainder of section 2, all of sections 3, 4, 5, 6, and 7 and renumber subsequent sections.

Insert: new sections 3 and 4 as follows:

"Section 3. Expenditures shall not exceed appropriations except as otherwise provided in this act.

Section 4. Each department, agency and program of the executive branch shall submit to the budget director by July 1 of each fiscal year a detailed budget within the limits of the appropriation which includes the position and salary of each employee. Expenditures shall be made only in accordance with budgets approved by the budget director for executive branch agencies; by the chief justice of the supreme court for judicial branch agencies; and by the appropriate legislative committees for legislative branch agencies."

5. Amend page 4, lines 5 through 10.

Following: "by the"

Strike: the remainder of present section 8.

Insert: "1975 legislature except as otherwise provided in this act."

6. Amend page 4, section 9, lines 11 through 15.

Following: "Section 9."

Strike: the remainder of present section 9.

Insert: "All federal funds received as a reimbursement for the cost of administering the federal funds when the cost was financed from the general fund shall revert to the general fund."

7. Amend page 4, section 10, line 21.

Following: "(2)"

Strike: "operation of the legislature"

Insert: "the legislative branch"

8. Amend page 4, section 10, line 23.

Following: "the"

Strike: "judiciary"

Insert: "judicial branch"

9. Amend page 6, section 13, line 24.

Following: "fund"

Strike: "29,554 31,651"

Insert: "28,054 30,151"

10. Amend page 6, section 13, line 25.

Following: "Total"

Strike: "29,554 31,651"

Insert: "28,054 30,151"

11. Amend page 7, section 13, line 7.

Following: "fund"

Strike: "508,151 575,181"

Insert: "528,151 605,181"

12. Amend page 7, section 13, line 10.

Following: "FPRA"

Strike: "289,498 312,107"

Insert: "269,498 282,107"

13. Amend page 8, section 13, line 15.

Following: "fund"

Strike: "31,948 35,865"

Insert: "29,439 33,130"

14. Amend page 8, section 13, line 20.

Following: "Total"

Strike: "68,119 69,912"

Insert: "65,610 67,177"

15. Amend page 9, section 13, line 24.

Following: "fund"

Strike: "951,948 1,037,194"

Insert: "Personnel Services 189,973 219,547

From local funds

Personnel Services 80,000 80,000

From general fund

-Operating Expenses 221,850 185,186

-Equipment 250,000

The above general fund appropriation for equipment is contingent upon the receipt of at least an equal amount of federal moneys. Federal dollars shall be spent only to purchase equipment."

16. Amend page 9, section 13, line 25.

Following: "Total"

Strike: "951,948 1,037,194"

Insert: "750,000 500,000"

17. Amend page 10, section 13, line 3.

Following: "fund"

Strike: "450,000"

Insert: "for local grants 200,000"

18. Amend page 10, section 13, line 8.

Following: "Total"

Strike: "542,125"

Insert: "292,125"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the 44th Session at the beginning of business March 10, 1975:

Steve Johnson	Page
Jeanne Keisacker	Page
Ava South	Page
Chris Leding	Page
Suann Sliter	Page
James Gilbert	Page

At the beginning of business March 12, 1975, the following also be employed:

Russell Halsey	Page
Farol Pasma	Page
Tempi Cadby	Page

At the close of business, March 8, 1975, the following also be terminated:

Patricia Jackson	Page
Myrna Siewing	Page

Randy Lester	Page
Cheryl Purdy	Page
Virginia Baumgart	Page
Terry Lee Kunkel	Page

At the close of business, March 11, 1975, the following also be terminated:

Joann Johnson	Page
Michelle Conroy	Page

LYNCH, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 220, introduced by Fasbender

Senate Bill No. 289, introduced by Thiessen, Etchart

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House.

House Bill No. 26, introduced by Lory

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

James Moore moved that Senate Amendments to House Bill No. 149 be taken from Second Reading and be rereferred to the Committee on Judiciary.

Motion carried.

Driscoll moved that the rules be temporarily suspended so that Senate Bill No. 255 be allowed to be accepted by the House.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 220, introduced by Fasbender: A bill for an act entitled: "An act amending Section 84-1502, R.C.M. 1947, to eliminate the deduction allowed corporations for income taxes and for interest income derived from obligations of the State of Montana or any political subdivision or municipality thereof; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 289, introduced by Thiessen, Etchart: A bill for an act entitled: "An act to allow a credit against income taxes for contributions to private colleges and universities." Referred to Committee on Taxation.

Senate Bill No. 255, introduced by Dunkel (by request of Department of Fish and Game): A bill for an act entitled: "An act to amend Section 69-3503, R.C.M. 1947, to require that all motorboats be properly numbered and display valid license decals." Referred to Committee on Fish and Game.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 11, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 276 be amended as follows:

1. Amend page 1, section 1, line 20.

Following: "may"

Insert: ", after an evaluation by the department of institutions which is equivalent to the evaluation required by section 10-1222 (2)(b)," (65-30)

And as amended, be not concurred in. (71-27)

That Senate Bill No. 58 be concurred in. (92-0)

That Senate Bill No. 69 be concurred in. (91-1)

That Senate Bill No. 98 be concurred in. (87-0)

That Senate Bill No. 114 be concurred in. (78-8)

Lynch replaces Murphy in the Chair.

That Senate Bill No. 116 be concurred in. (75-23)

Murphy resumes the Chair.

That Senate Bill No. 119 be concurred in. (83-4)

That Senate Bill No. 127 be concurred in. (84-0)

That Senate Bill No. 160 be concurred in. (89-0)

That Senate Bill No. 164 be passed for the day.

That Senate Bill No. 224 be concurred in. (87-3)

That Senate Bill No. 301 be concurred in. (78-6)

That Senate Bill No. 313 be concurred in. (88-2)

That Senate Bill No. 318 be concurred in. (85-1)

That Senate Bill No. 340 be concurred in. (76-8)

Lund excused at this time.

That Senate Bill No. 375 be concurred in. (68-13)

That Senate Bill No. 385 be concurred in. (43-40)

That Senate Joint Resolution No. 15 be concurred in. (82-1)

That Senate Amendments to House Bill No. 116 be concurred in. (82-1)

That Senate Amendments to House Bill No. 195 be not concurred in. (81-6)

That Senate Amendments to House Bill No. 220 be concurred in. (72-8)

That Senate Amendments to House Bill No. 261 be concurred in. (82-0)

That Senate Amendments to House Bill No. 418 be passed for the day.

That Senate Amendments to House Bill No. 474 be not concurred in. (86-0)

That Senate Amendments to House Bill No. 627 be not concurred in. (91-0)

That Senate Amendments to House Joint Resolution No. 3 be concurred in. (88-0)

That the Committee rise and report.

MURPHY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 11, 1975

I have examined House Bill No. 343 introduced by me and find the same to be correct.

SHELDEN

March 11, 1975

I have examined House Bill No. 246 introduced by me and find the same to be correct.

JAMES MOORE

March 11, 1975

I have examined House Joint Resolution No. 1 introduced by me and find the same to be correct.

BRADLEY

March 11, 1975

I have examined House Bill No. 315 introduced by me and find the same to be correct.

GERKE

March 11, 1975

I have examined House Bill No. 91 introduced by me and find the same to be correct.

KENDALL

March 11, 1975

I have examined House Bill No. 169 introduced by me and find the same to be correct.

ROBBINS

March 11, 1975

I have examined House Bill No. 482 introduced by me and find the same to be correct.

MULAR

March 11, 1975

I have examined House Bill No. 288 introduced by me and find the same to be correct.

JAMES MOORE

March 11, 1975

I have examined House Bill No. 124 introduced by me and find the same to be correct.

MURPHY

March 11, 1975

I have examined House Bill No. 249 introduced by me and find the same to be correct.

SCHYE

March 11, 1975

I have examined House Bill No. 487 introduced by me and find the same to be correct.

BRAND

March 11, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Joint Resolution No. 1, House Bills Nos. 249, 91, 288, 246, 343, 487, 315, 169, 124, 482.

QUILICI, Chairman

March 11, 1975

The following bills and resolution will be signed on adjournment on March 11, 1975, in the office of the Speaker of the House of Representatives: Senate Bill No. 108, House Joint Resolution No. 1, House Bills Nos. 249, 91, 288, 246, 343, 487, 315, 169, 124, 482.

Edwin A. Smith, Chief Clerk
House of Representatives

March 11, 1975

Mr. Speaker: We, your Committee on Rules, having had under consider-

ation House Resolution No. 4, respectfully report as follows: That the Rules Committee finds that House Resolution No. 4 is an internal matter of the House of Representatives, and as such is proper in simple resolution form;

That the Rules Committee shall be responsible for setting procedural guidelines relating to House Resolution No. 4;

That legislators named in House Resolution No. 4 are, at their request, entitled to legal counsel at the hearing before the Judiciary Committee, and that such counsel may be paid reasonable fees, set by the legislature, if the legislators named in House Resolution No. 4 are found by the House of Representatives unable to pay said attorney fees;

And that House Resolution No. 4 be referred to the Judiciary Committee to determine whether or not a select committee should be appointed.

DRISCOLL, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 26, respectfully report as follows: That Senate Bill No. 26 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, line 16.

Following: "imprisonment"

Insert: "in a county jail not exceeding six (6) months, or by a fine not exceeding one thousand dollars (\$1,000), or both"

2. Amend page 2, section 1, line 16.

Following: "[penitentiary]"

Strike: "for not"

3. Amend page 2, section 1, line 17.

Following: "[nor]"

Strike: "more than three (3) years"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 77, respectfully report as follows: That Senate Bill No. 77 be amended in the Third Reading bill as follows:

1. Amend page 5, section 3, line 25.

Following: "employers"

Insert: "and employees"

2. Amend page 7, section 3, subsection (3), line 11.

Following: "employee"

Strike: "shall"

Insert: "may"

3. Amend page 7, section 3, subsection (3), lines 14 and 15.

Following: "job"

Strike: "during working hours"

Insert: "or at his place of employment"

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 15, respectfully report as follows: That Senate Bill No. 15 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 124, respectfully report as follows: That Senate Bill No. 124 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 3, respectfully report as follows: That Senate Joint Resolution No. 3 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 200, respectfully report as follows: That Senate Bill No. 200 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 13.

Following: "from"

Strike: "motor vehicle"

And as amended, be concurred in.

BRAND, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 359, respectfully report as follows: That Senate Bill No. 359 be concurred in.

BRAND, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 195, respectfully report as follows: That Senate Bill No. 195 be concurred in.

BRAND, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 196, respectfully report as follows: That Senate Bill No. 196 be concurred in.

BRAND, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 197, respectfully report as follows: That Senate Bill No. 197 be concurred in.

BRAND, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 198, respectfully report as follows: That Senate Bill No. 198 be concurred in.

BRAND, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 199, respectfully report as follows: That Senate Bill No. 199 be concurred in.

BRAND, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 360, respectfully report as follows: That Senate Bill No. 360 be concurred in.

W. BAETH, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 237, respectfully report as follows: That Senate Bill No. 237 be concurred in.

W. BAETH, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 212, respectfully report as follows: That Senate Bill No. 212 be concurred in.

W. BAETH, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Joint Resolution No. 16, respectfully report as follows: That Senate Joint Resolution No. 16 be concurred in.

W. BAETH, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 350, respectfully report as follows: That Senate Bill No. 350 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 14.

Following: "whose"

Strike: "own"

2. Amend page 1, section 1, line 15.

Following: "interests"

Strike: "of any"

3. Amend page 1, section 1, line 16.

Strike: "economic nature"

4. Amend page 1, section 1, line 16.

Following: "may be"

Strike: "injured"

Insert: "adversely affected"

And as amended, be concurred in.

BRADLEY, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 79, respectfully report as follows: That Senate Bill No. 79 be concurred in.

BRADLEY, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Joint Resolution No. 24, respectfully report as follows: That Senate Joint Resolution No. 24 be concurred in.

BRADLEY, Chairman

Report adopted.

March 11, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Joint Resolution No. 25, respectfully report as follows: That Senate Joint Resolution No. 25 be concurred in.

BRADLEY, Chairman

Report adopted.

March 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 218, respectfully report as follows: That Senate Bill No. 218 be not concurred in.

HUENNEKENS, Chairman

March 11, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 380, respectfully report as follows: That Senate Bill No. 380 be not concurred in.

W. BAETH, Chairman

March 10, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 404, respectfully report as follows: That Senate Bill No. 404 be not concurred in.

HUENNEKENS, Chairman

MESSAGES FROM THE OTHER HOUSE

March 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 102, introduced by Huennekens, McKittrick

House Bill No. 106, introduced by Fabrega, Jack Moore, et al

House Bill No. 118, introduced by Lester, McKittrick

House Bill No. 202, introduced by McKittrick, Kendall, et al

House Bill No. 241, introduced by Halvorson

House Bill No. 243, introduced by Menahan, Dussault

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, titles and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 28, introduced by Gunderson

House Bill No. 208, introduced by Lester, Jim Moore, et al

House Bill No. 213, introduced by Bengtson

House Bill No. 226, introduced by Ellison, Staigmilller

House Bill No. 242, introduced by Brand, Mular, et al

House Bill No. 292, introduced by Huennekens, Staigmiller, et al

House Bill No. 357, introduced by Dussault, Holmes

House Bill No. 360, introduced by Murphy

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Huennekens moved that Senate Bill No. 395 be rereferred from the Committee on Agriculture, Livestock and Irrigation to the Committee on Natural Resources.

Motion carried.

Kvaalen moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 195.

Motion carried.

Bertelsen moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 474.

Motion carried.

Conroy moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 627.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 7 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Yardley, Mr. Speaker. Total 84.

Noes: Aageson, Babcock, Mercer, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 9.

Excused: Lund. Total 1.

Absent or not voting: Guthrie, Johnson, Lynch, Marks, South, Wolfe. Total 6.

Senate Bill No. 37 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnston, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Asher, Ellerd, Hubing, Kanduch, Kropp, Kvaalen, Marks, Mercer, Schye, Smith. Total 10.

Excused: Lund. Total 1.

Absent or not voting: Dassinger, Johnson, Lynch, South, Wolfe. Total 5.

Senate Bill No. 89 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Brand. Total 1.

Excused: Lund. Total 1.

Absent or not voting: Johnson, Lynch, South, Wolfe. Total 4.

Senate Bill No. 145 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sloan, Smith, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Casey, Day, Mercer, Robbins, Sivertsen. Total 5.

Excused: Lund. Total 1.

Absent or not voting: Johnson, Lynch, South, Wolfe. Total 4.

Senate Bill No. 146 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sloan, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 86.

Noes: Casey, Day, Ellerd, Mercer, Robbins, Schye, Sivertsen, Smith. Total 8.

Excused: Lund. Total 1.

Absent or not voting: Ellison, Johnson, Lynch, South, Wolfe. Total 5.

Senate Bill No. 147 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker. Total 87.

Noes: Casey, Ellison, Guthrie, Lockrem, Mercer, Jack Moore, Robbins, Schye, Wyrick. Total 9.

Excused: Lund. Total 1.

Absent or not voting: Lynch, South, Wolfe. Total 3.

Senate Bill No. 190 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams. Total 85.

Noes: Lockrem, Mercer, Jack Moore, James Moore, Schye, Seifert, Wood, Wyrick, Yardley, Mr. Speaker. Total 10.

Excused: Lund. Total 1.

Absent or not voting: Ellison, Lynch, South, Wolfe. Total 4.

Senate Amendments to House Bill No. 3 were concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Lund. Total 1.

Absent or not voting: C. R. Anderson, Ellerd, Hageman, Lynch, Meloy, South, Wolfe. Total 7.

Senate Amendments to House Bill No. 122 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Lund. Total 1.

Absent or not voting: Lynch, Schye, South, Wolfe. Total 4.

Senate Amendments to House Bill No. 163 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp,

Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Seifert. Total 1.

Excused: Lund. Total 1.

Absent or not voting: Lynch, South, Wolfe. Total 3.

Senate Amendments to House Bill No. 175 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker. Total 89.

Noes: Guthrie, Kvaalen, Lockrem, Mercer, Seifert, Smith, Wyrick. Total 7.

Excused: Lund. Total 1.

Absent or not voting: Lynch, South, Wolfe. Total 3.

Senate Amendments to House Bill No. 214 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wyrick, Mr. Speaker. Total 91.

Noes: Gunderson, Staigmiller, Thomas, Yardley. Total 4.

Excused: Lund. Total 1.

Absent or not voting: Lynch, South, Wolfe, Wood. Total 4.

Senate Amendments to House Bill No. 322 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth,

W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Lund. Total 1.

Absent or not voting: Bardanouve, Gerke, Lynch, Palmer, South, Wolfe. Total 6.

Senate Amendments to House Bill No. 484 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker. Total 88.

Noes: Gunderson, Harper, Lockrem, Mercer, Richards, Smith, Yardley. Total 7.

Excused: Lund. Total 1.

Absent or not voting: Gerke, Lynch, South, Wolfe. Total 4.

REPORTS OF STANDING COMMITTEES

March 11, 1975

I have examined House Bill No. 287, introduced by me and find the same to be correct.

JAMES MOORE

March 11, 1975

I have examined House Bill No. 574, introduced by me and find the same to be correct.

MANUEL

March 11, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 287, 574.

QUILICI, Chairman

March 11, 1975

The following bills will be signed on adjournment on March 11, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 36, 62, 129, House Bills Nos. 287, 574.

Edwin A. Smith, Chief Clerk
House of Representatives

Driscoll moved that the House adjourn until 1:30 p.m., March 12, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 12, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following conference committee to meet with a like committee of the Senate on the Senate Amendments to House Bill No. 474: Yardley, Chairman, Meloy, and Bertelsen.

The Speaker appointed the following free conference committee to meet with a like committee of the Senate on House Bill No. 195: Staigmiller, Chairman, R. Baeth, and Kvaalen.

The Speaker appointed the following conference committee to meet with a like committee of the Senate on the Senate Amendments to House Bill No. 627: Conroy, Chairman, Gunderson, and Lockrem.

SPECIAL ORDERS OF THE DAY

The Speaker introduced Chris Leding, presently a page in the House, who delivered her address entitled "Integrity, the Backbone of Our Constitution" for which she received Second Place in the Original Oratory Division of the American Legion speech contest.

REPORTS OF STANDING COMMITTEES

March 12, 1975

I have examined House Bill No. 679 introduced by me and find the same to be correct.

MC KITTRICK

March 12, 1975

The following bill was signed in the office of the Speaker of the House of Representatives on March 12, 1975: House Bill No. 679.

Edwin A. Smith, Chief Clerk
House of Representatives

March 12, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 11, 1975: Senate Bills Nos. 36, 62, 129, House Bills Nos. 287, 574.

Edwin A. Smith, Chief Clerk
House of Representatives

March 12, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on March 11, 1975: Senate Bill No. 108, House Joint Resolution No. 1, House Bills Nos. 249, 91, 288, 246, 343, 487, 315, 169, 124, 482.

Edwin A. Smith, Chief Clerk
House of Representatives

March 12, 1975

I have examined House Joint Resolution No. 36 introduced by me and find the same to be correct.

MULAR

March 12, 1975

I have examined House Bill No. 89 introduced by me and find the same to be correct.

HOLMES

March 12, 1975

I have examined House Bill No. 136 introduced by me and find the same to be correct.

BARRETT

March 12, 1975

I have examined House Bill No. 92 introduced by me and find the same to be correct.

KENDALL

March 12, 1975

I have examined House Bill No. 514 introduced by me and find the same to be correct.

BRAND

March 12, 1975

I have examined House Bill No. 150 introduced by me and find the same to be correct.

R. BAETH

March 12, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Bills Nos. 89, 92, 136, 150, 514, House Joint Resolution No. 36.

QUILICI, Chairman

March 12, 1975

The following bills and resolution will be signed on adjournment on March 12, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 89, 92, 136, 150, 514, House Joint Resolution No. 36.

Edwin A. Smith, Chief Clerk
House of Representatives

March 12, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 398, respectfully report as follows: That Senate Bill No. 398 be concurred in.

KIMBLE, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 88, respectfully report as follows: That Senate Bill No. 88 be concurred in.

KIMBLE, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 397, respectfully report as follows: That Senate Bill No. 397 be amended in the Third Reading bill as follows:

1. Amend page 6, section 3, subsection (2) (e), line 12.

Following: "States"

Insert: "within the past five (5) years"

And as amended, be concurred in.

STAIGMILLER, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 279, respectfully report as follows: That Senate Bill No. 279 be concurred in.

STAIGMILLER, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 231, respectfully report as follows: That Senate Bill No. 231 be concurred in.

GERKE, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 327, respectfully report as follows: That Senate Bill No. 327 be not concurred in.

GERKE, Chairman

March 12, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 306, respectfully report as follows: That Senate Bill No. 306 be not concurred in.

GERKE, Chairman

March 12, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 300, respectfully report as follows: That Senate Bill No. 300 be not concurred in.

GERKE, Chairman

March 12, 1975

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 379, respectfully report as follows: That Senate Bill No. 379 be concurred in.

GERKE, Chairman

Report adopted.

Objection raised by Driscoll on the adverse committee report on Senate Bill No. 218. Referred to Second Reading.

Objection raised by Scully on the adverse committee report on Senate Bill No. 404. Referred to Second Reading.

MESSAGE FROM THE OTHER HOUSE

March 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 268, introduced by Fagg, Yardley

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that Senate Bill No. 164 be taken from Second Reading until a fiscal note has been received.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Fagg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 12, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 15 be passed to the bottom of the board.

That Senate Bill No. 26 be concurred in. (76-8)

That Senate Bill No. 55 be concurred in. (91-0)

That Senate Bill No. 77 be concurred in. (77-15)

That Senate Bill No. 79 be concurred in. (90-1)

That Senate Bill No. 124 be passed for the day.

That Senate Bill No. 195 be concurred in. (83-2)

That Senate Bill No. 196 be concurred in. (89-0)

That Senate Bill No. 197 be concurred in. (85-1)

That Senate Bill No. 198 be concurred in. (87-0)

That Senate Bill No. 199 be concurred in. (88-0)

That Senate Bill No. 200 be concurred in. (82-7)

That Senate Bill No. 212 be concurred in. (74-10)

That Senate Bill No. 237 be passed for the day.

That Senate Bill No. 243 be passed for the day.

That Senate Bill No. 247 be concurred in. (90-0)

That Senate Bill No. 317 be concurred in. (81-7)

That Senate Bill No. 350 be passed to the bottom of the board.

Seifert replaces Fagg in the Chair.

That Senate Bill No. 359 be passed for the day.

That Senate Bill No. 360 be concurred in. (73-13)

That Senate Bill No. 384 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 10.

Following: "dollars"

Insert: "and unless approved by a vote of the people in the school district from which the land is transferred when disputed"

2. Amend page 3, section 1, subsection (3), line 13.

Following: "final"

Insert: "thirty (30) days after its date unless a petition to submit the question to a vote of the people in the district from which the land is to be transferred, which has been signed by a majority of the electors of the district who reside in the territory to be transferred and who are qualified to vote in elections for that district under section 75-6410, R.C.M. 1947, is presented prior to that time. When a petition is submitted under this subsection, the question of whether the land shall be transferred to another district shall be put before the voters at the next regular school election in the affected district." (76-7)

And as amended, be concurred in. (87-1)

That Senate Joint Resolution No. 3 be concurred in. (72-13)

That Senate Joint Resolution No. 16 be concurred in. (66-17)

That Senate Joint Resolution No. 24 be concurred in. (65-18)
Fagg resumes the Chair.

That Senate Joint Resolution No. 25 be concurred in. (75-3)
Meloy replaces Fagg in the Chair. Fagg resumes the Chair.

That Senate Bill No. 15 be concurred in. (60-35)
That Senate Bill No. 350 be concurred in. (57-27)

That Senate Amendments to House Bill No. 102 be concurred in. (75-1)
That Senate Amendments to House Bill No. 106 be not concurred in. (76-4)

That Senate Amendments to House Bill No. 118 be concurred in. (81-1)
That Senate Amendments to House Bill No. 202 be not concurred in. (86-1)

That Senate Amendments to House Bill No. 241 be concurred in. (90-0)
That Senate Amendments to House Bill No. 243 be not concurred in. (94-0)

That Senate Amendments to House Bill No. 418 be not concurred in. (72-20)
That the Committee rise and report.

FAGG, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 12, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), lines 16 and 17.

Following: "means a"

Strike: "combination of planned efforts to provide a service"

Insert: "governmental entity designated in this act"

2. Amend page 2, section 1, subsection (3)(a), line 2.

Following: "fund"

Insert: "and other than receipts to the state from the United States government made available under the provisions of the State and Local Fiscal Assistance Act of 1972 or any special revenue sharing program enacted by congress"

3. Amend page 2, section 1, subsection (3)(c), line 7.

Following: "biennium"

Insert: "in approving a budget amendment, the approving authority shall certify:

- (i) specific additional services to be provided as a result of a higher expenditure level;
- (ii) that no other alternative is available to provide the additional services;
- (iii) that the additional proposed services have not been considered and rejected by the legislature; and

(iv) that no commitment, implied or otherwise, is made for increased future general fund support.”

4. Amend page 2, section 2, lines 12 through page 3, line 23.

Following: “appropriated.”

Strike: the remainder of section 2, all of sections 3, 4, 5, 6, and 7 and renumber subsequent sections.

Insert: new sections 3 and 4 as follows:

“Section 3. Expenditures shall not exceed appropriations except as otherwise provided in this act.

Section 4. Each department, agency and program of the executive branch shall submit to the budget director by July 1 of each fiscal year a detailed budget within the limits of the appropriation which includes the position and salary of each employee. Expenditures shall be made only in accordance with budgets approved by the budget director for executive branch agencies; by the chief justice of the supreme court for judicial branch agencies; and by the appropriate legislative committees for legislative branch agencies.”

5. Amend page 4, present section 8, lines 5 through 10.

Following: “by the”

Strike: the remainder of present section 8.

Insert: “1975 legislature except as otherwise provided in this act.”

6. Amend page 4, present section 9, lines 11 through 15.

Following: “Section 9.”

Strike: the remainder of present section 9.

Insert: “All federal funds received as a reimbursement for the cost of administering the federal funds when the cost was financed from the general fund shall revert to the general fund.”

7. Amend page 4, present section 10, line 21.

Following: “(2)”

Strike: “operation of the legislature”

Insert: “the legislative branch”

8. Amend page 4, present section 10, line 23.

Following: “the”

Strike: “judiciary”

Insert: “judicial branch”

9. Amend page 8, present section 13, the following figures:

line 10.	Strike:	“200,000	200,000”
	Insert:	“175,000	175,000”
line 12.	Strike:	“330,118	308,796”
	Insert:	“279,268	299,196”
line 14.	Strike:	“304,862	323,518”
	Insert:	“324,862	343,518”
line 19.	Strike:	“181,951	192,704”
	Insert:	“166,951	177,704”
line 23.	Strike:	“331,674	332,230”
	Insert:	“346,674	347,230”
line 25.	Strike:	“246,786	262,436”
	Insert:	“221,786	237,436”

10. Amend page 9, present section 13, line 1.

Strike:	"1,595,391	1,619,684"
Insert:	"1,514,541	1,580,084"

11. Amend page 10, present section 13, the following figures:

line 16.	Strike:	"520,754	549,270"
	Insert:	"511,284	539,727"
line 23.	Strike:	"25,000	25,000"
	Insert:	"-0-	-0."

12. Amend page 11, present section 13, the following figures:

line 4.	Strike:	"733,777	810,179"
	Insert:	"599,013	636,344"
line 8.	Strike:	"669,881	834,363"
	Insert:	"699,881	865,815"
line 21.	Strike:	"55,000	55,000"
	Insert:	"-0-	-0."
line 23.	Strike:	"1,054,514	1,135,009"
	Insert:	"1,109,514	1,190,009"
line 25.	Strike:	"375,000	375,000"
	Insert:	"-0-	-0."

13. Amend page 12, present section 13, the following figures:

line 2.	Strike:	"490,944	498,564"
	Insert:	"369,669	375,022"
line 13.	Strike:	"538,310	537,551"
	Insert:	"515,593	513,807"
line 15.	Strike:	"285,600	295,546"
	Insert:	"273,547	282,491"
line 21.	Strike:	"107,204	110,851"
	Insert:	"95,755	98,386"

14. Amend page 13, present section 13, the following figures:

line 5.	Strike:	"337,802	334,637"
	Insert:	"281,360	283,678"
line 8.	Strike:	"9,184,641	10,069,590"
	Insert:	"8,446,471	9,293,899"
line 21.	Strike:	"156,893	179,261"
	Insert:	"143,820	151,683"
line 22.	Strike:	"156,893	179,261"
	Insert:	"143,820	151,683"

15. Amend page 14, present section 13, the following figures:

line 2.	Strike:	"362,973	381,445"
	Insert:	"353,562	371,360"
line 5.	Strike:	"420,623	466,445"
	Insert:	"411,212	456,360"
line 17.	Strike:	"188,800	196,436"

Insert: "135,027 146,921"

16. Amend page 15, present section 13, the following figures:

line 1. Strike: "194,797 200,708"
Insert: "126,932 132,773"

line 4. Strike: "37,060 38,360"
Insert: "47,060 48,360"

line 6. Strike: "253,081 260,635"
Insert: "121,801 131,998"

17. Amend page 15, present section 13, following line 6.

Insert: "Weed control advisory council

From the general fund 2,500 -0-

18. Amend page 15, present section 13, the following figures:

line 10. Strike: "79,224 82,082"
Insert: "61,017 59,581"

line 12. Strike: "215,928 231,769"
Insert: "198,730 213,844"

19. Amend page 16, present section 13, the following figures:

line 1. Strike: "1,548,272 1,610,332"
Insert: "1,272,449 1,333,819"

line 4. Strike: "83,796 99,046"
Insert: "68,683 73,321"

line 6. Strike: "19,865 23,481"
Insert: "16,282 17,382"

line 22. Strike: "982,619 1,059,312"
Insert: "963,923 1,027,488"

20. Amend page 17, present section 13, the following figures:

line 15. Strike: "179,917 191,923"
Insert: "92,679 99,224"

line 25. Strike: "515,148 603,640"
Insert: "356,351 459,940"

21. Amend page 18, present section 13, the following figures:

line 4. Strike: "40,475 42,535"
Insert: "-0- -0-"

line 12. Strike: "437,074 218,537"
Insert: "607,800 303,900"

line 13. Strike: "202,077 220,236"
Insert: "179,934 196,034"

line 16. Strike: "154,464 164,383"
Insert: "137,428 146,319"

line 18. Strike: "174,368 188,881"
Insert: "159,368 173,881"

22. Amend page 19, present section 13, the following figures:

line 4. Strike: "30,000 30,000"

Insert: "-0- -0-"

23. Amend page 20, present section 13, the following figures:

line 1.	Strike: "6,106,958	6,125,804"
	Insert: "5,906,995	5,844,967"
line 7.	Strike: "318,754	341,624"
	Insert: "311,165	333,568"
line 9.	Strike: "73,376	79,856"
	Insert: "71,665	77,973"
line 11.	Strike: "56,661	84,935"
	Insert: "117,053	84,552"
line 13.	Strike: "53,855	56,412"
	Insert: "123,905	169,285"
line 14.	Strike: "616,932	663,110"
	Insert: "738,074	789,732"
line 21.	Strike: "96,937	104,979"
	Insert: "104,485	113,118"

24. Amend page 20, present section 13, following line 21.

Insert: "From the federal and private revenue fund

04510 Civil defense FPRA 14,008 15,226

Funds received by Montana under authority of PL 93-322 shall be made available to this program in the same proportion as was the case in the fiscal year ending June 30, 1974. The receipt of such funds shall not result in a higher expenditure level than that authorized, but shall be used to reduce the general fund appropriation."

25. Amend page 21, present section 13, the following figures:

line 8.	Strike: "465,590	497,960"
	Insert: "487,146	521,325"
line 11.	Strike: "16,829,434	18,413,317"
	Insert: "17,032,457	18,573,802"
line 13.	Strike: "1,955,171	2,092,841"
	Insert: "2,139,133	2,240,569"

26. Amend page 21, present section 13, following line 13.

Insert: "The above appropriation includes sufficient funds to increase the rates of payment for foster care from \$90 to \$125 for children 12 years of age and under and from \$100 to \$150 for children 13 to 18 years of age; to provide \$50 as a clothing allowance for each initial placement; and to pay all liability insurance at licensed homes."

27. Amend page 21, present section 13, the following figures:

line 15.	Strike: "1,083,342	1,134,583"
	Insert: "976,729	1,026,808"
line 17.	Strike: "3,250,100	3,541,320"
	Insert: "3,204,756	3,499,082"
line 19.	Strike: "1,142,679	1,238,055"

	Insert:	"1,127,315	1,221,772"
line 21.	Strike:	"887,784	1,037,222"
	Insert:	"794,208	931,768"
line 23.	Strike:	"2,600,919	2,708,668"
	Insert:	"2,372,034	2,479,594"
line 25.	Strike:	"1,329,428	1,439,157"
	Insert:	"1,159,881	1,263,299"

28. Amend page 22, present section 13, the following figures:

line 2.	Strike:	"499,997	563,695"
	Insert:	"490,623	532,991"
line 4.	Strike:	"970,582	1,094,231"
	Insert:	"952,384	1,034,629"
line 6.	Strike:	"104,244	113,999"
	Insert:	"87,859	95,588"
line 8.	Strike:	"372,731	402,000"
	Insert:	"323,576	346,766"
line 12.	Strike:	"57,878	63,094"
	Insert:	"55,617	60,126"
line 14.	Strike:	"95,361	103,837"
	Insert:	"91,679	99,004"
line 16.	Strike:	"593,328	649,131"
	Insert:	"586,386	627,821"
line 19.	Strike:	"1,138,030	1,258,449"
	Insert:	"1,107,382	1,167,921"
line 25.	Strike:	"90,123	110,145"
	Insert:	"86,759	102,117"

29. Amend page 23, present section 13, the following figures:

line 3.	Strike:	"498,819	590,461"
	Insert:	"481,126	549,568"
line 5.	Strike:	"131,977	153,275"
	Insert:	"130,209	150,701"
line 8.	Strike:	"327,905	346,251"
	Insert:	"320,898	337,249"
line 10.	Strike:	"3,000,000	3,500,000"
	Insert:	"1,839,890	2,937,622"
line 12.	Strike:	"92,421	101,608"
	Insert:	"466,107	479,026"

30. Amend page 23, present section 13, following line 12.

Insert:	"From the revolving fund
	07138 County reimbursement RA
	15,705 16,454"

31. Amend page 23, present section 13, the following figures:

line 14.	Strike:	"56,891	60,198"
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	Insert:	"53,333	53,333"
line 16.	Strike:	"157,532	174,542"
	Insert:	"160,000	160,000"
line 18.	Strike:	"283,787	313,255"
	Insert:	"270,254	293,723"
line 19.	Strike:	"38,534,855	42,255,387"
	Insert:	"37,310,692	41,333,386"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), lines 16 and 17.
Following: "means a"
Strike: "combination of planned efforts to provide a service"
Insert: "governmental entity designated in this act"
2. Amend page 2, section 1, subsection (3) (a), line 2.
Following: "fund"
Insert: "and other than receipts to the state from the United States government made available under the provisions of the State and Local Fiscal Assistance Act of 1972 or any special revenue sharing program enacted by congress"
3. Amend page 2, section 1, subsection (3) (c), line 7.
Following: "biennium"
Insert: "in approving a budget amendment, the approving authority shall certify:
 - (i) specific additional services to be provided as a result of a higher expenditure level;
 - (ii) that no other alternative is available to provide the additional services;
 - (iii) that the additional proposed services have not been considered and rejected by the legislature; and
 - (iv) that no commitment, implied or otherwise, is made for increased future general fund support."
4. Amend page 2, section 2, lines 12 through page 3, line 23.
Following: "appropriated."
Strike: the remainder of section 2, all of sections 3, 4, 5, 6, and 7 and renumber subsequent sections.
Insert: new sections 3 and 4 as follows:

"Section 3. Expenditures shall not exceed appropriations except as otherwise provided in this act.

Section 4. Each department, agency and program of the executive branch shall submit to the budget director by July 1 of each fiscal year a detailed budget within the limits of the appropriation which includes the position and salary of each employee. Expenditures shall be made only in accordance with budgets approved by the budget director for

executive branch agencies; by the chief justice of the supreme court for judicial branch agencies; and by the appropriate legislative committees for legislative branch agencies."

5. Amend page 4, present section 8, lines 5 through 10.

Following: "by the"

Strike: the remainder of present section 8.

Insert: "1975 legislature except as otherwise provided in this act."

6. Amend page 4, present section 9, lines 11 through 15.

Following: "Section 9."

Strike: the remainder of present section 9.

Insert: "All federal funds received as a reimbursement for the cost of administering the federal funds when the cost was financed from the general fund shall revert to the general fund."

7. Amend page 4, present section 10, line 21.

Following: "(2)"

Strike: "operation of the legislature"

Insert: "the legislative branch"

8. Amend page 4, present section 10, line 23.

Following: "the"

Strike: "judiciary"

Insert: "judicial branch"

9. Amend page 6, present section 13, following line 24.

Insert: "Contracted Services

From general fund	75,000	75,000"
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10. Amend page 7, present section 13, the following figures:

line 2.	Strike: "729,632	809,623"
	Insert: "804,632	1,483,480"

line 12.	Strike: "16,160	16,160"
	Insert: "32,320	-0."

line 13.	Strike: "1,044,643	16,160"
	Insert: "1,060,803	-0."

line 24.	Strike: "174,230	194,736"
	Insert: "168,230	188,736"

11. Amend page 8, present section 13, the following figures:

line 4.	Strike: "204,230	220,736"
	Insert: "198,230	214,736"

line 9.	Strike: "89,460	103,660"
	Insert: "122,860	127,250"

line 10	Strike: "89,460	103,660"
	Insert: "122,860	127,250"

line 17.	Strike: "45,915	48,103"
	Insert: "48,915	51,103"

line 18.	Strike: "45,915	48,103"
	Insert: "48,915	51,103"

12. Amend page 9, present section 13, following line 4.

Insert: "Included in the appropriation are sufficient funds to hire a court administrator to perform the administrative functions of the judicial branch."

13. Amend page 9, present section 13, the following figures:

line 13.	Strike:	"44,597	49,415"
	Insert:	"42,897	45,765"
line 16.	Strike:	"532,439	570,503"
	Insert:	"493,674	566,694"
line 19.	Strike:	"222,764	348,859"
	Insert:	"132,000	99,000"

14. Amend page 9, present section 13, following line 19.

Insert: "Mental health advisory council program

From the general fund 20,000 20,000"

15. Amend page 9, present section 13, following line 24.

Insert: "This appropriation is contingent upon the failure of House Bill No. 411, wherein the office of Montana ombudsman is created."

16. Amend page 9, present section 13, the following figures:

line 25.	Strike:	"1,225,786	1,420,438"
	Insert:	"1,114,557	1,183,120"

17. Amend page 10, present section 13, line 3.

Strike:	"126,235	132,347"
Insert:	"117,577	122,931"

18. Amend page 10, present section 13, following line 5.

Strike: lines 6 and 7 in their entirety.

19. Amend page 10, present section 13, the following figures:

line 8.	Strike:	"200,382	213,447"
	Insert:	"117,577	122,931"
line 11.	Strike:	"93,563	101,118"
	Insert:	"91,563	99,818"
line 12.	Strike:	"93,563	101,118"
	Insert:	"91,563	99,818"
line 18.	Strike:	"263,830	282,603"
	Insert:	"255,827	274,264"
line 19.	Strike:	"263,830	282,603"
	Insert:	"255,827	274,264"

20. Amend page 11, present section 13, following line 13.

Insert: "A continuation of this program in any form beyond the automatic repealer date of June 30, 1977, as specified in chapter 221, section 8, Laws 1974 is prohibited."

21. Amend page 11, present section 13, the following figures:

line 20.	Strike:	"143,304"
	Insert:	"133,304"
line 24.	Strike:	"3,143,304"
	Insert:	"3,133,304"

22. Amend page 12, present section 13, the following figures:

line 2.	Strike:	"290,010	293,031"
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- Insert: "283,750 285,131"
- line 12. Strike: "441,759 475,978"
Insert: "434,517 468,101"
- line 20. Strike: "2,276,325 2,336,610"
Insert: "2,262,823 2,320,833"
23. Amend page 13, present section 13, line 18.
Strike: "4,216,319 4,845,790"
Insert: "3,616,319 4,245,790"
24. Amend page 14, present section 13, line 8.
Strike: "80,368,340 86,970,380"
Insert: "79,768,340 86,370,380"
25. Amend page 15, present section 13, line 2.
Strike: "371,895 405,821"
Insert: "384,855 420,843"
26. Amend page 16, present section 13, the following figures:
line 2. Strike: "5,870,758 6,370,300"
Insert: "5,883,718 6,385,322"
line 23. Strike: "117,693 237,870"
Insert: "55,158 175,335"
27. Amend page 17, present section 13, line 12.
Strike: "913,000 985,059"
Insert: "850,465 922,524"
28. Amend page 18, present section 13, the following figures:
line 6. Strike: "144,432 162,075"
Insert: "129,989 145,868"
line 21. Strike: "1,340,343 1,383,196"
Insert: "1,325,900 1,366,989"
line 24. Strike: "612,986 648,805"
Insert: "655,343 684,144"
29. Amend page 18, present section 13, following line 24.
Insert: "Consultant contracted services
From general fund 50,000 50,000"
30. Amend page 19, present section 13, line 4.
Strike: "626,986 664,805"
Insert: "719,343 750,144"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 264, 285.

QUILICI, Chairman

March 12, 1975

The following bills and resolution will be signed on adjournment on March 12, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 133, 168, 209, 213, 232, Senate Joint Resolution No. 9.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

March 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 13, introduced by Bardanouve

House Bill No. 93, introduced by Vincent, Luebeck

House Bill No. 309, introduced by Scully

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and passed, title and history agreed to, and the said bills and joint resolution are herewith returned to the House:

House Bill No. 178, introduced by South, Gwynn, et al

House Bill No. 692, introduced by Bardanouve, Brand

House Joint Resolution No. 7, introduced by Harper, Gunderson, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House amendments to Senate Bills and Senate Joint Resolutions were this day concurred in by the Senate:

House Amendments to Senate Bill No. 102

House Amendments to Senate Bill No. 293

House Amendments to Senate Bill No. 345

House Amendments to Senate Joint Resolution No. 12

House Amendments to Senate Joint Resolution No. 27

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Mular moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 418.

Motion carried.

Menahan moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 243.

Motion carried.

Fabrega moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 106.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 202.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 34 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmliller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: None.

Absent or not voting: Holmes, Williams. Total 2.

Senate Bill No. 56 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison,

Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmler, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: None.

Absent or not voting: Jack Moore, Mular, Williams. Total 3.

Senate Bill No. 57 was concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmler, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: None.

Absent or not voting: Dassinger, Halvorson, Jack Moore, Mular, Quilici, Williams. Total 6.

Senate Bill No. 84 was concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmler, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: None.

Absent or not voting: Williams. Total 1.

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Dussault, Holmes, Huennekens, Johnson. Total 4.

Excused: None.

Absent or not voting: Ellis, Gould, Seifert, Williams. Total 4.

Senate Bill No. 121 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: Smith, Staigmiller. Total 2.

Excused: None.

Absent or not voting: Williams. Total 1.

Senate Bill No. 215 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Yardley, Mr. Speaker. Total 87.

Noes: Bardanouve, Brand, Gunderson, Guthrie, Johnson, Lockrem, Manuel, Mercer, Seifert, Staigmiller, Wyrick. Total 11.

Excused: None.

Absent or not voting: Gwynn, Williams. Total 2.

Senate Bill No. 216 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Eller, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: None.

Absent or not voting: Williams. Total 1.

Senate Bill No. 229 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Eller, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, South, Stoltz, Thomas, Tropila, Vincent, Wolfe, Yardley, Mr. Speaker. Total 69.

Noes: Aageson, Barrett, Brand, Casey, Day, Ellison, Fishbaugh, Gunderson, Guthrie, Hager, Hubing, Huennekens, Kropp, Kvaalen, Lien, Lockrem, Mercer, Jack Moore, Murphy, Richards, Seifert, Sivertsen, Sloan, Smith, Staigmillar, Teague, Underdal, Wood, Wyrick. Total 29.

Excused: None.

Absent or not voting: Travis, Williams. Total 2.

Senate Bill No. 248 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Eller, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: None.

Absent or not voting: Mercer, Williams. Total 2.

Senate Bill No. 257 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Wolfe, Wood, Yardley, Mr. Speaker. Total 86.

Noes: Bardanouve, Barrett, Casey, Gwynn, Jacobsen, Kropp, Manuel, Sivertsen, Smith, Staigmilller, Underdal, Wyrick. Total 12.

Excused: None.

Absent or not voting: Ellison, Williams. Total 2.

Senate Bill No. 260 was concurred in by the following vote:

Ayes: Aageson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: C. R. Anderson, J. Anderson, Asher, Brand, Guthrie, Herlevi, Hubing, Kvaalen, Marks, Mercer, Seifert, Smith, Staigmilller, Wyrick. Total 14.

Excused: None.

Absent or not voting: Casey, Williams. Total 2.

Senate Bill No. 328 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: None.

Absent or not voting: Williams. Total 1.

Senate Joint Resolution No. 18 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Barrett, Mercer, Seifert, Sivertsen, Smith. Total 5.

Excused: None.

Absent or not voting: Williams. Total 1.

Senate Amendments to House Bill No. 116 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Ellison, Lockrem, James Moore. Total 3.

Excused: None.

Absent or not voting: Bertelsen, Gerke, Marks, Mercer, Schye, Williams. Total 6.

Senate Amendments to House Bill No. 220 were concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South,

Staigmilller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Wolfe, Wood. Total 76.

Noes: C. R. Anderson, Babcock, Barrett, Brand, Day, Ellerd, Ellison, Guthrie, Kendall, Lockrem, Mercer, Schye, Seifert, Smith, Tropila, Wyrick, Yardley, Mr. Speaker. Total 18.

Excused: None.

Absent or not voting: Ellis, Gerke, Gwynn, Kropp, Murphy, Williams. Total 6.

Senate Amendments to House Bill No. 261 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: None.

Absent or not voting: Gerke, Kropp, Shelden, Travis, Williams. Total 5.

Senate Amendments to House Joint Resolution No. 3 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: None.

Absent or not voting: Gerke, Helmbrecht, Kimble, Schye, Williams. Total 5.

REPORTS OF STANDING COMMITTEES

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 380 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, Murphy, O'Connell, Quilici, Rasmussen, Scully, Seifert, Sloan, South, Staigmiller, Stoltz, Teague, Tropila, Wolfe, Yardley, Mr. Speaker. Total 76.

Noes: Brand, Ellison, Gould, Guthrie, Lockrem, Mercer, Mular, Richards, Schye, Smith, Vincent, Wood, Wyrick. Total 13.

Excused: None.

Absent or not voting: Fagg, Johnson, James Moore, Palmer, Robbins, Shelden, Sivertsen, Thomas, Travis, Underdal, Williams. Total 11.

Driscoll moved that the House adjourn until 1:30 p.m., March 13, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 13, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present, except Lien, Williams, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate on House Bill No. 202: McKittrick, Chairman, Kimble, and Seifert.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate on House Bill No. 243: Menahan, Chairman, Dussault, and Rasmussen.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate on Senate Amendments to House Bill No. 418: Mular, Chairman, Kimble and Babcock.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate on Senate Amendments to House Bill No. 106: Dassinger, Chairman, Teague and Fabrega.

REPORTS OF STANDING COMMITTEES

March 13, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bill No. 286.

QUILICI, Chairman

March 13, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 457, 360, 357, 292, 212, 208, 206, 151, 28, 3.

QUILICI, Chairman

March 13, 1975

The following bills will be signed on adjournment on March 13, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 457, 360, 357, 292, 212, 208, 206, 151, 28, 3.

Edwin A. Smith, Chief Clerk
House of Representatives

March 13, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 12, 1975: House Bills Nos. 89, 92, 136, 150, 514, House Joint Resolution No. 36, Senate Bills Nos. 133, 168, 209, 213, 232, Senate Joint Resolution No. 9.

Edwin A. Smith, Chief Clerk
House of Representatives

March 13, 1975

I have examined House Bill No. 3 introduced by me and find the same to be correct.

QUILICI, Chairman

March 13, 1975

I have examined House Bill No. 457 introduced by me and find the same to be correct.

GILLIGAN

March 13, 1975

I have examined House Bill No. 357 introduced by me and find the same to be correct.

DUSSAULT

March 13, 1975

I have examined House Bill No. 28 introduced by me and find the same to be correct.

GUNDERSON

March 13, 1975

I have examined House Bill No. 206 introduced by me and find the same to be correct.

GUNDERSON

March 13, 1975

I have examined House Bill No. 212 introduced by me and find the same to be correct.

MC KITTRICK

March 13, 1975

I have examined House Bill No. 360 introduced by me and find the same to be correct.

MURPHY

March 13, 1975

I have examined House Bill No. 151 introduced by me and find the same to be correct.

R. BAETH

March 13, 1975

I have examined House Bill No. 208 introduced by me and find the same to be correct.

LESTER

March 13, 1975

I have examined House Bill No. 292 introduced by me and find the same to be correct.

HUENNEKENS

March 13, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 174, respectfully report as follows: That Senate Bill No. 174 be concurred in.

YARDLEY, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 14, respectfully report as follows: That Senate Bill No. 14 be concurred in.

YARDLEY, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 158, respectfully report as follows: That Senate Bill No. 158 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, line 3.

Following: "information"

Insert: ", including a detailed statement of all expenditures of money, with the name of any person or business to whom payment is made, and showing the service rendered or goods furnished"

2. Amend page 2, section 1, line 8.

Following: "copy."

Insert: "One free copy of the minutes shall be provided to the local press within five (5) working days following the approval of the minutes by the board. The board shall approve the minutes of each special and regular meeting no later than one (1) month following the meeting. If a board does not regularly meet on a monthly basis, a meeting of the trustees shall be called no later than one (1) month following each regular meeting for the purpose of approving the minutes of the previous meeting."

And as amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 17, respectfully report as follows: That Senate Joint Resolution No. 17 be concurred in.

GUNDERSON, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Education, having had under con-

sideration Senate Bill No. 368, respectfully report as follows: That Senate Bill No. 368 be not concurred in.

GUNDERSON, Chairman

Objection raised by McKittrick on the adverse committee report on Senate Bill No. 300. Referred to Second Reading.

Objection raised by Brand on the adverse committee report on Senate Bill No. 306. Referred to Second Reading.

Objection raised by Thomas on the adverse committee report on Senate Bill No. 327. Referred to Second Reading.

REPORTS OF SELECT COMMITTEES

March 11, 1975

Joint Conference Committee Report on Senate Amendments to House Bill No. 70

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Committee of the Whole Amendments to House Bill No. 70, beg leave to report as follows:

That we met this day and considered Senate Committee of the Whole Amendments, dated February 17, 1975, to House Bill No. 70. This Joint Conference Committee recommends as follows:

That the House accede to Amendment No. 1 of the Committee of the Whole Amendments dated February 17, 1975.

That the Senate recede from Amendment No. 2 of the Committee of the Whole Amendments dated February 17, 1975.

And that the Joint Conference Committee further recommends that House Bill No. 70, reference bill (second printing copy of February 18, 1975), be amended as follows:

2. Amend page 1, line 12.

Following: line 12.

Insert: "Section 2. Section 94-6-313, R.C.M. 1947, is amended to read as follows:

'94-6-313. Defrauding creditors. (1) A person commits the offense of defrauding secured creditors if he destroys, conceals, encumbers, transfers, removes from the state, or otherwise deals with property subject to a security interest with the purpose to hinder enforcement of that interest.

(2) "Security interest" means an interest in personal property or fixtures as defined in section 87-1-201 (37) [87A-1-201 (37)] of the Uniform Commercial Code.

(3) A person convicted of the offense of defrauding secured creditors shall be fined not to exceed five hundred dollars (\$500) or be imprisoned in the county jail for a term not to exceed six (6) months, or both.

(4) A person who destroys, conceals, encumbers, transfers, removes from the state, or otherwise deals with property subject to a security interest with the purpose of depriving the owner of the property, or of the proceeds and value therefrom, may be prosecuted under section 94-6-302."

And that House Bill No. 70, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:

TOWE, Chairman
MANLEY
GALT

FOR THE HOUSE:

JAMES MOORE, Chairman
SCULLY
C. R. ANDERSON

Report adopted.

MESSAGE FROM THE OTHER HOUSE

March 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 346, introduced by Menahan

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the rules be temporarily suspended on Order of Business No. 3 when joint conference committee reports are being read that they be considered read at length.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

House Resolution No. 5, introduced by Kimble (by request): A Resolution of the House of Representatives of the State of Montana expressing support for the relocation of the American Indian Athletic Hall of Fame from Haskell, Kansas, to the capital city of the State of Montana. Referred to Committee on Legislative Administration.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting, with the exception of consideration of House Bill No. 264. Motion carried.

Dussault in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 13, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Marks, Kvaalen and Schye excused at this time.

That House Bill No. 264 do pass. (75-15)

That House Bill No. 285 be amended as follows:

1. Amend page 11, line 13.

Strike: "\$189,973"

Insert: "180,973"

2. Amend page 11, line 17.

Strike: "221,850"

Insert: "239,027"

Strike: "185,186"

Insert: "200,453" (79-6)

And be further amended:

3. Amend page 11, section 10, line 13.

Strike: "180,973 219,547"

Insert: "141,000 174,008"

4. Amend page 11, section 10, following line 22.

Insert: "The salary for the position of executive director may not exceed nineteen thousand dollars (\$19,000) for fiscal year ending June 30, 1976 and twenty thousand five hundred dollars (\$20,500) for fiscal year ending June 30, 1977."

5. Amend page 11, section 10, line 24.

Strike: "750,000 500,000"

Insert: "710,577 454,461" (79-12)

Marks, Kvaalen and Schye present at this time.

And be further amended:

6. Amend page 11.

Strike: all material on lines 10 through 24 (49-45)

And be further amended:

7. Amend page 11.

Reinstate: the stricken lines 10 through 24. (52-45)

And as amended, do pass. (74-22)

That Senate Bill No. 124 be not concurred in. (71-20)

That the Committee rise and report.

DUSSAULT, Chairman

REPORTS OF STANDING COMMITTEES

March 13, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 269.

QUILICI, Chairman

March 13, 1975

The following bills will be signed on adjournment on March 13, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 82, 99, 105, 107.

Edwin A. Smith, Chief Clerk
House of Representatives

March 13, 1975

Mr. Speaker: We, your Committee on Highways and Transportation,

having had under consideration Senate Bill No. 251, respectfully report as follows: That Senate Bill No. 251 be concurred in.

W. BAETH, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 291, respectfully report as follows: That Senate Bill No. 291 be concurred in and be rereferred to the Appropriations Committee.

W. BAETH, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 76, respectfully report as follows: That Senate Bill No. 76 be amended in the Third Reading bill as follows:

1. Amend page 18, section 10, subsection (5), lines 2 through 4.

Following: "receive"

Strike: "the same salary as a state district court judge and shall receive the same salary increases awarded such judges"

Insert: "an annual salary of eighteen thousand five hundred dollars (\$18,500) and the salary commission may recommend salary increases to the legislature"

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 339, respectfully report as follows: That Senate Bill No. 339 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, subsection (f), line 18.

Following: "(f)"

Strike: "three (3)"

Insert: "five (5)"

And as amended, be concurred in.

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 2, respectfully report as follows: That Senate Bill No. 2 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 8.

Following: "17-807,"

Strike: "23-3405,"

2. Amend page 27, section 13, lines 6 through 25 and page 28, lines 1 through 18.

Strike: section 13 in its entirety.

Renumber: subsequent sections.

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 148, respectfully report as follows: That Senate Bill No. 148 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 4, respectfully report as follows: That Senate Bill No. 4 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 162, respectfully report as follows: That Senate Bill No. 162 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 154, respectfully report as follows: That Senate Bill No. 154 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 12, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 138, respectfully report as follows: That Senate Bill No. 138 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 292, respectfully report as follows: That Senate Bill No. 292 be concurred in.

BRAND, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 344, respectfully report as follows: That Senate Bill No. 344 be concurred in.

BRAND, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 299, respectfully report as follows: That Senate Bill No. 299 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, subsection (10), line 24.

Following: "for"

Strike: "any year"

Insert: "all years of legislative service"

2. Amend page 3, section 1, subsection (10), line 3.

Following: "contributions"

Strike: "during the year"

And as amended, be concurred in.

BRAND, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 343, respectfully report as follows: That Senate Bill No. 343 be concurred in.

BRAND, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Bill No. 207, respectfully report as follows: That Senate Bill No. 207 be concurred in.

LYNCH, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Bill No. 321, respectfully report as follows: That Senate Bill No. 321 be concurred in.

LYNCH, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 38, respectfully report as follows: That Senate Bill No. 38 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, subsection (1), lines 4 and 5.

Following: "if"

Strike: "requested by the owner or operator and found to be a trade secret by the board"

Insert: "so determined by a court of competent jurisdiction. The owner or operator shall file a declaratory judgement action to establish the existence of a trade secret, if he wishes such information to enjoy con-

fidential status. The department shall be served in any such action, and may intervene as a party therein”

And as amended, be concurred in.

BRADLEY, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be concurred in.

BRADLEY, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be concurred in.

BRADLEY, Chairman

Report adopted.

March 13, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 be amended in the introduced bill as follows:

1. Amend page 1, section 1, subsection (2), lines 16 and 17.

Strike: “combination of planned efforts to provide a service”

Insert: “governmental entity designated in this act”

2. Amend page 2, section 1, subsection (3)(a), line 2.

Following: “fund”

Insert: “and other than receipts to the state from the United States government made available under the provisions of the State and Local Fiscal Assistance Act of 1972 or any special revenue sharing program enacted by congress”

3. Amend page 2, section 1, subsection (3)(c), line 7.

Following: “biennium.”

Insert: “In approving a budget amendment, the approving authority shall certify:

(i) specific additional services to be provided as a result of a higher expenditure level;

(ii) that no other alternative is available to provide the additional services;

(iii) that the additional proposed services have not been considered and rejected by the legislature; and

(iv) that no commitment, implied or otherwise, is made for increased future general fund support.”

4. Amend page 2, section 2, lines 12 through page 3, line 23.

Following: “appropriated.”

Strike: the remainder of section 2, all of sections 3, 4, 5, 6, and 7.

Insert: new sections 3 and 4 as follows:

"Section 3. Expenditures shall not exceed appropriations except as otherwise provided in this act.

Section 4. Each department, agency and program of the executive branch shall submit to the budget director by July 1 of each fiscal year a detailed budget within the limits of the appropriation which includes the position and salary of each employee. Expenditures shall be made only in accordance with budgets approved by the budget director for executive branch agencies; by the chief justice of the supreme court for judicial branch agencies; and by the appropriate legislative committees for legislative branch agencies."

Renumber: subsequent sections

5. Amend page 4, lines 5 through 10.

Following: "by the"

Strike: the remainder of present section 8.

Insert: "1975 legislature except as otherwise provided in this act."

6. Amend page 4, section 9, lines 11 through 15.

Following: "Section 9."

Strike: the remainder of present section 9.

Insert: "All federal funds received as a reimbursement for the cost of administering the federal funds when the cost was financed from the general fund shall revert to the general fund."

7. Amend page 4, section 10, line 21.

Following: "(2)"

Strike: "operation of the legislature"

Insert: "the legislative branch"

8. Amend page 4, section 10, line 23.

Following: "the"

Strike: "judiciary"

Insert: "judicial branch"

9. Amend page 7, present section 13, the following figures:

line 5.	Strike:	"663,409	623,183"
	Insert:	"434,249	422,970"

line 13.	Strike:	"182,169	201,942"
	Insert:	"154,169	171,566"

10. Amend page 7, present section 13, lines 14 through 19.

Strike: all of the material on lines 14 through 19.

11. Amend page 7, present section 13, following line 21.

Insert: "None of the above appropriation shall be spent for any direct or indirect costs of other agencies, programs or entities present or future within the department of institutions.

Any funds allocated to a non-state agency shall be allocated only subsequent and pursuant to the submission of an operational plan by the non-state agency to the community based services program and the plan's approval by the community based services program.

Such a plan shall include but not be limited to the following:

1. Total proposed and historic costs;
2. Number of clients to be served;
3. Provision that any nongeneral funds available to be spent prior to the allocation of any of the above appropriation;

4. The nature and level of services to be rendered;

5. Measurable performance indicators.

The department of institutions shall review at least biannually the non-state agency's adherence to the approved plan. The department may suspend allocation of funds if significant divergencies from the plan are found."

12. Amend page 7, present section 13, lines 24 and 25.

Strike: all the material on lines 24 and 25.

Insert: "Total	880,512	913,677
Community based services program		
From the general fund	2,868,742	2,900,057
From the federal and private revenue fund		
04540 Community services FPRA	83,000	83,000
Total	2,951,742	2,983,057"

13. Amend page 8, present section 13, the following figures:

line 4.	Strike: "589,572	622,339"
	Insert: "586,472	619,239"
line 7.	Strike: "657,102	1,532,978"
	Insert: "1,640,102	1,515,478"
line 9.	Strike: "1,077,526	971,044"
	Insert: "1,014,926	953,100"
line 15.	Strike: "730,846	761,676"
	Insert: "928,062	808,391"
line 17.	Strike: "4,668,042	3,919,979"
	Insert: "4,008,239	2,930,862"
line 19.	Strike: "970,425	1,069,000"
	Insert: "819,929	999,259"
line 25.	Strike: "10,008,049	9,152,473"
	Insert: "9,435,516	8,141,786"

14. Amend page 9, present section 13, lines 1 through 25.

Strike: all the material in lines 1 through 25.

Insert: "Children's center		
Maintenance program		
From the general fund	77,675	86,943
Total	77,675	86,943

Center for the aged"

15. Amend page 10, present section 13, the following figures:

line 2.	Strike: "89,161	104,416"
	Insert: "87,731	102,719"
line 4.	Strike: "420,008	482,676"
	Insert: "409,006	566,500"

line 7.	Strike:	"118,626	140,910"
	Insert:	"116,478	138,080"
line 9.	Strike:	"173,989	222,300"
	Insert:	"169,867	217,094"
line 12.	Strike:	"819,929	1,069,260"
	Insert:	"801,227	1,043,351"
line 17.	Strike:	"111,894	119,734"
	Insert:	"109,064	116,904"
line 22.	Strike:	"140,983	151,462"
	Insert:	"140,478	150,957"

16. Amend page 11, present section 13, the following figures:

line 4.	Strike:	"390,321	417,634"
	Insert:	"386,986	414,299"
line 7.	Strike:	"199,531	207,327"
	Insert:	"196,734	204,278"
line 9.	Strike:	"1,782,028	1,906,151"
	Insert:	"1,759,630	1,883,045"
line 12.	Strike:	"801,296	828,412"
	Insert:	"790,769	816,938"
line 14.	Strike:	"683,691	753,610"
	Insert:	"679,381	748,318"
line 16.	Strike:	"658,839	699,585"
	Insert:	"650,841	690,867"
line 17.	Strike:	"4,125,385	4,395,085"
	Insert:	"4,077,355	4,343,446"
line 22.	Strike:	"496,871	533,810"
	Insert:	"488,971	525,410"

17. Amend page 12, present section 13, the following figures:

line 10.	Strike:	"170,855	181,931"
	Insert:	"167,855	178,931"
line 12.	Strike:	"95,786	100,710"
	Insert:	"93,786	98,210"
line 13.	Strike:	"1,109,031	1,186,282"
	Insert:	"1,096,131	1,172,382"
line 22.	Strike:	"455,588	500,383"
	Insert:	"444,123	487,803"

18. Amend page 13, present section 13, the following figures:

line 11.	Strike:	"288,302	327,145"
	Insert:	"286,802	325,495"
line 21.	Strike:	"133,862	140,987"
	Insert:	"102,862	109,987"

19. Amend page 13, present section 13, line 25.

Strike: line 25 in its entirety.

Insert: "Farm program from
the general fund

	111,000	96,884
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Total	1,804,728	1,880,152"
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20. Amend page 14, present section 13, the following figures:

line 12.	Strike:	"624,372	669,411"
	Insert:	"607,827	651,377"
line 14.	Strike:	"170,091	180,710"
	Insert:	"168,489	178,964"
line 16.	Strike:	"50,000	-0."
	Insert:	"168,852	-0."
line 25.	Strike:	"423,556	448,845"
	Insert:	"411,202	435,379"

21. Amend page 15, present section 13, the following figures:

line 1.	Strike:	"5,226,660	4,677,850"
	Insert:	"5,315,011	4,644,604"
line 21.	Strike:		"65,539"
	Insert:		"66,339"
line 24.	Strike:		"495,915"
	Insert:		"496,715"

22. Amend page 16, present section 13, the following figures:

line 4.	Strike:	"126,705	142,454"
	Insert:	"130,055	145,804"
line 7.	Strike:	"80,000	80,000"
	Insert:	"76,650	76,650"
line 9.	Strike:	"58,089	78,607"
	Insert:	"108,369	128,887"
line 12.	Strike:	"170,000	170,000"
	Insert:	"119,720	119,720"
line 18.	Strike:	"503,991	528,160"
	Insert:	"464,493	488,052"
line 20.	Strike:	"8,420,637	12,065,367"
	Insert:	"8,082,708	11,697,050"

23. Amend page 17, present section 13, the following figures:

line 2.	Strike:	"1,892,256	1,939,519"
	Insert:	"1,848,882	1,892,370"
line 9.	Strike:	"149,335	160,901"
	Insert:	"-0-	-0."
line 25.	Strike:	"15,734,521	16,577,341"
	Insert:	"15,164,385	15,960,866"

24. Amend page 18, present section 13, line 3.

Strike:	"716,169	850,863"
Insert:	"546,466	611,637"

25. Amend page 18, present section 13, lines 4 through 9.

Strike: all the material in lines 4 through 9.

26. Amend page 18, present section 13, line 10.

Strike: "1,078,998 1,388,625"

Insert: "546,466 611,637"

27. Amend page 18, present section 13, lines 11 through 14.

Strike: all the material in lines 11 through 14.

28. Amend page 18, present section 13, the following figures:

line 18. Strike: "111,436 98,866"

Insert: "115,193 115,193"

line 22. Strike: "546,265 546,265"

Insert: "396,782 396,782"

line 23. Strike: "657,701 645,131"

Insert: "511,975 511,975"

29. Amend page 18, present section 13, following line 23.

Insert: "Included in the above appropriations are \$7,484,633 in fiscal 1976 and \$6,675,952 in fiscal 1977 for personal services including all employee benefits at Boulder River School and Hospital and \$12,409,608 in fiscal 1976 and \$13,338,854 in fiscal 1977 for personal services including all employee benefits at Warm Springs State Hospital. Reversions to the general fund shall be made in the amount that expenditures are less than the amounts provided."

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

Joint Conference Committee Report on
Senate Amendments to House Bill No. 9

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 6, 1975, and considered Senate Committee of the Whole amendments dated February 8, 1975, to House Bill No. 9, and recommend as follows:

That the Senate recede from its Committee of the Whole amendments,

And further that the reference copy (corrected copy of February 12, 1975) of House Bill No. 9 be amended as follows:

1. Amend page 1, section 2, line 22.

Following: "employer"

Strike: " "

Insert: "; provided that the employer may require disability as a result of pregnancy to be verified by medical certification that the employee is not able to perform her employment duties, or"

And that House Bill No. 9, as so amended, do pass.

FOR THE SENATE:

REGAN, Chairman

FOR THE HOUSE:

STOLTZ, Chairman

ROBERTS
ROSELL

KIMBLE
ELLIS

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 13, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 134, introduced by Jim Moore, Scully

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 13, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 557, introduced by Driscoll, Meloy

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 13, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 138, introduced by Yardley

House Bill No. 329, introduced by Travis, Holmes, et al

House Bill No. 468, introduced by Kelly, Mular, et al

House Bill No. 632, introduced by Dassinger, Brand, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 13, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 474.

The President appointed the following members:

Senator Towe, Chairman
Senator Cetrone
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 13, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 627.

The President appointed the following members:

Senator Graham, Chairman
Senator Conover
Senator Aber

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 13, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House dated March 12, 1975, and authorized the President to appoint a Free Conference Committee to confer on House Bill No. 195.

The President appointed the following members:

Senator Jergeson, Chairman
Senator Manley
Senator Roskie

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Bradley moved that Senate Joint Resolution No. 24 be taken from Third Reading and placed on Second Reading.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., March 14, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 14, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 14, 1975

I have examined House Bill No. 242 introduced by me and find the same to be correct.

BRAND

March 14, 1975

I have examined House Bill No. 213 introduced by me and find the same to be correct.

BENGTSON

March 14, 1975

I have examined House Bill No. 226 introduced by me and find the same to be correct.

ELLISON

March 14, 1975

I have examined House Bill No. 692 introduced by me and find the same to be correct.

BARDANOUVE

March 14, 1975

I have examined House Bill No. 163 introduced by me and find the same to be correct.

MENAHAN

March 14, 1975

I have examined House Bill No. 322 introduced by me and find the same to be correct.

WOLFE

March 14, 1975

I have examined House Bill No. 122 introduced by me and find the same to be correct.

YARDLEY

March 14, 1975

I have examined House Bill No. 72 introduced by me and find the same to be correct.

JACK MOORE

March 14, 1975

I have examined House Bill No. 214 introduced by me and find the same to be correct.

JACK MOORE

March 14, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 72, 122, 214, 242, 322, 692, 213, 226, 163.

QUILICI, Chairman

March 14, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 285.

QUILICI, Chairman

March 14, 1975

Mr. Speaker: The Committee on Bills reports the following bill considered correctly engrossed: House Bill No. 264.

QUILICI, Chairman

March 14, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 13, 1975: House Bills Nos. 3, 28, 151, 206, 208, 212, 292, 357, 360, 457, Senate Bills Nos. 82, 99, 105, 107.

Edwin A. Smith, Chief Clerk
House of Representatives

March 14, 1975

The following bills will be signed on adjournment on March 14, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 72, 122, 213, 214, 226, 242, 322, 692, 163.

Edwin A. Smith, Chief Clerk
House of Representatives

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 368 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Holmes, Hubing, Johnston, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Richards, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz,

Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Brand, Guthrie, Helmbrecht, Jacobsen, Lockrem, Wood. Total 6.

Excused: Fagg, Kimble. Total 2.

Absent or not voting: Day, Gould, Herlevi, Huennekens, Johnson, Kemmis, Marks, Meloy, Mular, Palmer, Rasmussen, Robbins, Schye, Scully, Teague, Travis. Total 16.

March 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 210, respectfully report as follows: That Senate Bill No. 210 be amended in the Third Reading bill, as follows:

1. Amend page 1, section 1, line 22.

Following: "Not"

Strike: "to exceed"

Insert: "more than"

2. Amend page 1, section 1, line 25.

Following: "charge"

Strike: "shall not exceed"

Insert: "is not more than"

3. Amend page 2, section 1, line 7.

Following: "One-twentieth"

Insert: "(1/20)"

4. Amend page 2, section 1, line 14.

Following: "after"

Insert: "the"

5. Amend page 3, section 1, line 1.

Strike: "[(4)]"

Insert: "(4)"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

FLEMING, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 337, respectfully report as follows: That Senate Bill No. 337 be amended in the Third Reading bill as follows:

1. Amend page 3, section 2, line 11.

Following: "elevation."

Insert: "Section 3. The provisions of this act shall not apply to dams, dikes, and reservoirs which are subject to federal power commission inspections under federal laws."

And as amended, be concurred in.

FLEMING, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 371, respectfully report as follows: That Senate Bill No. 371 be amended in the Third Reading bill, as follows:

1. Amend the title, page 1, line 6.

Following: "permits"

Insert: ", and providing an immediate effective date"

2. Amend page 5, section 1, following line 6.

Insert: a new section 2 as follows:

"Section 2. Effective date. This act is effective on its passage and approval."

And as amended, be concurred in.

FLEMING, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 278, respectfully report as follows: That Senate Bill No. 278 be amended in the Third Reading bill as follows:

1. Amend page 10, section 14, following subsection (1), line 13.

Strike: subsections (2) and (3) in their entirety.

And as amended, be concurred in.

FLEMING, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 372, respectfully report as follows: That Senate Bill No. 372 be concurred in.

FLEMING, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 269, respectfully report as follows: That Senate Bill No. 269 be concurred in.

FLEMING, Chairman

Report adopted.

MOTIONS

Huennekens moved that Senate Bill No. 76 be taken from Second Reading and be rereferred to the Committee on Judiciary.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 58 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Siefert, Shelden, Sivertsen, Smith, South, Staigmillier, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Day, Ellison, Kimble, Kvaalen, Mercer, Schye, Sloan, Wood. Total 8.

Excused: Fagg. Total 1.

Absent or not voting: Stoltz. Total 1.

Senate Bill No. 83 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: Schye. Total 1.

Excused: Fagg. Total 1.

Absent or not voting: Gunderson. Total 1.

Senate Bill No. 114 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 91.

Noes: Babcock, Ellerd, Fishbaugh, Guthrie, Mercer, Seifert, Smith, Wyrick. Total 8.

Excused: Fagg. Total 1.

Absent or not voting: None.

Senate Bill No. 119 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 89.

Noes: Fishbaugh, Guthrie, Jacobsen, Lockrem, Mercer, James Moore, Smith, Wyrick. Total 8.

Excused: Fagg. Total 1.

Absent or not voting: Robbins, Schye. Total 2.

Senate Bill No. 127 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Fagg. Total 1.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 160 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 99.

Noes: None.

Excused: Fagg. Total 1.

Absent or not voting: None.

Senate Bill No. 224 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Fagg. Total 1.

Absent or not voting: Meloy, Travis. Total 2.

Senate Bill No. 296 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: McFadden, Seifert, Sloan. Total 3.

Excused: Fagg. Total 1.

Absent or not voting: Ellerd, James Moore, Travis. Total 3.

Senate Bill No. 301 was concurred in by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Shelden, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 78.

Noes: Aageson, Brand, Casey, Fabrega, Hager, Kanduch, Lockrem, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Sloan, Smith, Staigmiller, Wood, Wyrick. Total 17.

Excused: Fagg. Total 1.

Absent or not voting: Dassinger, Gerke, Luebeck, Quilici. Total 4.

Senate Bill No. 340 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick. Total 90.

Noes: Brand, Driscoll, Gwynn, Richards, Travis, Yardley, Mr. Speaker. Total 7.

Excused: Fagg. Total 1.

Absent or not voting: W. Baeth, Thomas. Total 2.

Senate Bill No. 375 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Hager, Holmes, Sloan. Total 3.

Excused: Fagg. Total 1.

Absent or not voting: Travis. Total 1.

Senate Joint Resolution No. 15 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden,

Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: Conroy. Total 1.

Excused: Fagg. Total 1.

Absent or not voting: Ellerd. Total 1.

Senate Bill No. 69 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Fagg. Total 1.

Absent or not voting: Driscoll. Total 1.

Senate Bill No. 98 was concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 93.

Noes: McFadden, Yardley. Total 2.

Excused: Fagg. Total 1.

Absent or not voting: C.R. Anderson, R. Baeth, Fishbaugh, Travis. Total 4.

Senate Bill No. 116 was concurred in by the following vote:

Ayes: J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kemmis, Kendall,

Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Thomas, Vincent, Wolfe, Yardley, Mr. Speaker. Total 69.

Noes: Aageson, C.R. Anderson, Babcock, Barrett, Brand, Conroy, Ellison, Gould, Hageman, Hager, Hubing, Johnston, Kelly, Kropp, Kvaalen, Lien, Lockrem, Mercer, Murphy, Schye, Seifert, Smith, Staigmilller, Teague, Travis, Tropila, Underdal, Williams, Wood, Wyrick. Total 30.

Excused: Fagg. Total 1.

Absent or not voting: None.

Senate Bill No. 200 was concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Fagg. Total 1.

Absent or not voting: C. R. Anderson, Mercer. Total 2.

Senate Bill No. 247 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Guthrie. Total 1.

Excused: Fagg. Total 1.

Absent or not voting: Gunderson, Hubing, Manuel. Total 3.

Senate Bill No. 318 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger,

Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: Ellis, Gould, Lockrem, Mular. Total 4.

Excused: Fagg. Total 1.

Absent or not voting: J. Anderson, Bardanouve, Yardley. Total 3.

Senate Bill No. 385 was not concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Dassinger, Driscoll, Dussault, Federico, Finley, Gerke, Gilligan, Gunderson, Harper, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Lester, Luebeck, Lynch, Magone, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Shelden, South, Stoltz, Teague, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 42.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Casey, Conroy, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Fleming, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, McFadden, Manuel, Marks, Mercer, Jack Moore, James Moore, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, Staigmillier, Thomas, Tropila, Underdal, Wood, Wyrick. Total 58.

Paired: Johnson, Aye; Fagg, No.

Excused: None.

Absent or not voting: None.

Senate Amendments to House Bill No. 102 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Brand. Total 1.

Excused: Fagg. Total 1.

Absent or not voting: Bengtson, Gerke, Sivertsen, Travis. Total 4.

Senate Amendments to House Bill No. 118 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Fagg. Total 1.

Absent or not voting: Gerke. Total 1.

Senate Amendments to House Bill No. 241 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Schye. Total 1.

Excused: Fagg. Total 1.

Absent or not voting: Bardanouve, Gerke, Helmbrecht, Kelly, Palmer. Total 5.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting, with the exception of the prime sponsors.

Motion carried.

Hager in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 14, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 269 be amended as follows:

1. Amend page 25, between lines 15 and 16.

Insert: "From the General Fund
For Legal Services 50,000 50,000"

2. Amend page 25, between lines 18 and 19.

Insert: "From the Federal and Private Revenue Fund
04422 Public Welfare FPRA
For Legal Services 150,000 150,000"

3. Amend page 25, between lines 21 and 22.

Insert: "In the event the General Fund money for legal services does not generate matching federal funds, they shall revert to the General Fund. In the event full federal funding becomes available, the unused portion of the appropriation shall revert to the General Fund." (87-0)

And be further amended:

4. Amend page 8, line 21.

Strike: "753,497 750,865"
Insert: "300,000 300,000" (71-26)

And be further amended:

5. Amend page 8, section 10, line 12.

Strike: "13,566,840 13,744,445"
Insert: "14,020,337 14,195,310" (74-10)

Robbins excused at this time.

And as amended, do pass. (91-2)

That House Bill No. 286 be amended as follows:

1. Amend page 8, section 10, line 5.

Strike: "593,468 656,986"
Insert: "617,150 665,925"

2. Amend page 8, section 10, line 9.

Strike: "136,164 152,637"
Insert: "143,758 156,372"

3. Amend page 8, section 10, line 11.

Strike: "804,632 1,483,480"
Insert: "835,908 897,297"

4. Amend page 8, section 10, line 13.

Strike: "770,098"
Insert: "830,098"

5. Amend page 8, section 10, line 24.

Strike: "1,060,803"
Insert: "1,120,803"

6. Amend page 9, section 10, line 11.

Strike: "168,230 188,736"
Insert: "175,346 191,453"

7. Amend page 9, section 10, line 17.

Strike: "198,230 214,736"
Insert: "205,346 217,453"

8. Amend page 9, section 10, line 23.

Strike: "122,860 127,250"
 Insert: "125,753 128,397"

9. Amend page 9, section 10, line 25.

Strike: "122,860 127,250"
 Insert: "125,753 128,397" (82-5)

And be further amended:

10. Amend page 8, section 10.

Following: line 18

Insert: "National conference of
 state legislatures dues
 From the general fund \$25,220"

11. Amend page 8, section 10, line 24.

Strike: "1,120,803"
 Insert: "1,146,023"

(This amendment number 2 amends Gerke's Committee of the Whole March 14, 1975, amendment number 5.) (73-12)

Seifert replaces Hager in the Chair.

And be further amended:

12. Amend page 12.

Strike: lines 8 and 9. (71-1)

Hager resumes the Chair.

And as amended, do pass. (93-1)

That the Committee rise and report.

HAGER, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 14, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 289.

QUILICI, Chairman

March 15, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 14, 1975: House Bills Nos. 72, 122, 163, 213, 214, 226, 242, 322, 692, Senate Bills Nos. 141, 193, 271, 294.

Edwin A. Smith, Chief Clerk
 House of Representatives

March 14, 1975

The following bills will be signed on adjournment on March 14, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 141, 193, 271, 294.

Edwin A. Smith, Chief Clerk
 House of Representatives

March 14, 1975

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration Senate Bill No. 235, respectfully report as follows: That Senate Bill No. 235 be amended in the Third Reading bill as follows:

1. Amend page 1, following line 14.

Strike: the remainder of the bill in its entirety.

Insert: "47-125. Same—any rate [not exceeding ten per cent] allowed by agreement—limitations as to certain loans. Parties may agree in writing for the payment of any rate of interest [not exceeding the rate of ten per cent per annum,] not exceeding the rate of twelve and one-half percent (12-½%) per annum on loans less than fifty thousand dollars (\$50,000), fifteen percent (15%) on loans in excess of fifty thousand dollars (\$50,000) and not exceeding one million dollars (\$1,000,000), and as the parties may designate on loans in excess of one million dollars (\$1,000,000) and such interest shall be allowed, according to the terms of the agreement, until the entry of judgment.'

Section 2. This act is effective on its passage and approval."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 238, respectfully report as follows: That Senate Bill No. 238 be concurred in.

SHELDEN, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 234, respectfully report as follows: That Senate Bill No. 234 be concurred in.

SHELDEN, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 315, respectfully report as follows: That Senate Bill No. 315 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, lines 15 and 16.

Following: "costs."

Strike: "This section applies to such accounts as provide for 'above the line' expenditures."

And as amended, be concurred in.

SHELDEN, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 14, 1975

The Honorable Pat McKittrick
Speaker of the House
of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 67, 78, 167, and 465.

Sincerely,

THOMAS L. JUDGE
Governor

March 14, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bill No. 19.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

March 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House dated March 13, 1975, and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 106.

The President appointed the following members:

Senator Watt, Chairman
Senator Norman
Senator Brown.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House dated March 13, 1975, and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 418.

The President appointed the following members:

Senator Lee, Chairman
Senator R. Smith
Senator Olson.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House dated March 13, 1975, and authorized the President to appoint a Free Conference Committee to confer on House Bill No. 202.

The President appointed the following members:

Senator Roberts, Chairman
Senator Cetrone
Senator Drake.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House dated March 13, 1975, and authorized the President to appoint a Free Conference Committee to confer on House Bill No. 243.

The President appointed the following members:

Senator Roberts, Chairman
Senator Cetrone
Senator Drake.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, titles and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 130, introduced by Brand, Fagg

House Bill No. 299, introduced by Driscoll

House Bill No. 368, introduced by Meloy, Gunderson, et al

House Bill No. 579, introduced by Luebeck, Shelden, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 20, introduced by Gerke

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 73, introduced by Jack Moore, Fabrega, et al

House Bill No. 523, introduced by Rasmussen, Babcock

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and passed, title and history agreed to, and the said bills and resolution are herewith returned to the House:

House Bill No. 71, introduced by Bradley, Lynch, et al

House Bill No. 258, introduced by Huennekens

House Bill No. 308, introduced by Guthrie, Gunderson

House Bill No. 345, introduced by Meloy

House Bill No. 352, introduced by Dussault, Lester, et al

House Bill No. 355, introduced by Dussault, Casey

House Bill No. 375, introduced by Helmbrecht

House Bill No. 381, introduced by Bradley

House Bill No. 383, introduced by Meloy, Harper, et al

House Bill No. 384, introduced by Scully, Gilligan

House Bill No. 397, introduced by Stoltz, Lester, et al
House Bill No. 399, introduced by Robbins, Dassinger, et al
House Bill No. 497, introduced by Fleming
House Bill No. 498, introduced by Fleming
House Bill No. 499, introduced by Fleming
House Bill No. 500, introduced by Sloan, Gilligan
House Bill 501, introduced by Lund, Casey
House Bill No. 535, introduced by Day, Jacobsen
House Joint Resolution No. 27, introduced by Vincent, Harper, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to Senate Bill No. 7 were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Jim Moore moved to request the Senate to return Senate Bill No. 124 to the House and that the House reconsider its action of the previous legislative day in failing to pass Senate Bill No. 124 on Second Reading.

Motion carried.

Jim Moore moved to request the Senate to return Senate Bill No. 385 to the House and that the House reconsider its action in failing to pass Senate Bill No. 385 on Third Reading this day.

Motion carried.

Driscoll moved that the House reconsider its action in adopting the adverse committee report on Senate Bill No. 368 and that in accordance with Joint Rule 6-28, it be placed on Second Reading.

Motion carried.

Brand moved that Senate Bill No. 401 be rereferred from the Committee on State Administration to the Committee on Appropriations.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., March 15, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 15, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll Call. All members present except Federico, Fleming, Lien, Robbins, and Travis, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 15, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 325, respectfully report as follows: That Senate Bill No. 325 be concurred in.

STOLTZ, Vice-Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 275, respectfully report as follows: That Senate Bill No. 275 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, subsection (1), lines 21 through 25.

Following: "means an"

Strike: "individual certificated where required in class 1,2,4, or 5 as provided in section 75-6006, but shall not include such [certificated] individuals who are not currently under contract to perform classroom teaching"

Insert: "employee of a district who holds a certificate in class 1,2,4, or 5 as provided in section 75-6006, and is under contract to perform classroom teaching or professional services which are instruction related; or where certification is not required is under contract with at least a bachelor of arts degree and provides professional services in contact with students"

2. Amend page 2, section 1, subsection (1), lines 2 through 4.

Following: "(3),"

Strike: the remainder of subsection (1) in its entirety.

3. Amend page 2, section 1, subsection (2), line 6.

Following: "75-6501"

Strike: " ,"

Insert: " ,"

4. Amend page 3, section 1, subsection (7), line 7.

Following: "75-6121.1"

Strike: " ,"

Insert: " , or recognized by the board in school year 1974 - 1975;"

5. Amend page 3, section 1, subsection (8), line 9.

Following: "82A-1014"

Strike: " ,"

Insert: " ,"

6. Amend page 4, section 2, line 22.

Following: "terms"

Insert: "and conditions"

7. Amend page 4, section 2, lines 24 and 25, and page 5, line 1.

Following: "negotiation."

Strike: "all other statutory powers and duties of the board are not subject to negotiation."

8. Amend page 6, section 3, subsection (1) (c), line 11.

Following: "confer"

Strike: "or"

Insert: "and"

9. Amend page 7, section 3, subsection (2) (d), line 20.

Following: "confer"

Strike: "or"

Insert: "and"

10. Amend page 10, section 5, subsection (1), line 21.

Following: "following"

Insert: "who cast ballots"

11. Amend page 11, section 5, line 4.

Before: "Any"

Insert: "(2)"

12. Amend page 11, section 5, line 10.

Following: "[issued.]"

Insert: "(3) Except as provided in subsection (4),"

13. Amend page 11, section 5, line 11.

Following: "only if"

Strike: "one of the following conditions is met: (1) A majority of the teachers who are members of the teacher organization, by secret ballot, and a majority of the board ratify the total agreement."

Insert: "the agreement has been ratified."

Renumber: subsequent subsections.

14. Amend page 11, section 5, lines 15 through 19.

Following: "(4)"

Strike: all the underlined material on lines 15 through 19.

Insert: "When some items remain at issue in negotiations and the representative of teachers deems it necessary, an election shall be called. If a majority of those casting ballots consider the items remaining to be of minor importance, individual contracts may be issued and the items remaining shall be negotiated following the issuance of contracts."

15. Amend page 14, section 7, line 17.

Following: "laws"

Insert: " — agency shop — payroll deductions"

16. Amend page 15, section 7, subsection (3), line 12.

Following: "employer"

Strike: "shall"

Insert: "may"

17. Amend page 15, section 7, subsection (3), line 17.

Following: "organization."

Insert: "During the 1975 - 1976 school year all teachers in an appropriate unit shall be accorded this benefit."

(Material in brackets denotes cancelled type.)

And as amended, be concurred in.

STOLTZ, Vice-Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the 44th Session at the beginning of business March 5, 1975:

David LehnherrPage

At the beginning of business March 10, 1975, the following also be employed:

Laurie Antonietti.....Page

At the close of business March 11, 1975, the following also be terminated:

David LehnherrPage

At the close of business March 15, 1975, the following also be terminated:

Tambra MorganPage

Steve JohnsonPage

Jeanne KeisackerPage

Ava South.....Page

Chris LedingPage

Su Ann SliterPage

James Gilbert.....Page

Laurie Antonietti.....Page

LYNCH, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 15, 1975

Joint Conference Committee Report On House Bill No. 627

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 15, 1975, and considered Senate Committee on Agriculture, Livestock and Irrigation amendments dated March 5, 1975, to House Bill No. 627, and recommend as follows:

That the Senate recede from the Senate Committee on Agriculture, Livestock and Irrigation Amendment No. 1,

And further that the reference copy of House Bill No. 627 be amended as follows:

1. Amend page 3, section 2, subsection (2), line 1.

Strike: "ten dollars (\$10)"

Insert: "twenty dollars (\$20)"

And that House Bill No. 627, as so amended, be concurred in.

FOR THE SENATE:

GRAHAM, Chairman
CONOVER
ABER

FOR THE HOUSE:

CONROY, Chairman
GUNDERSON
LOCKREM

Report adopted.

MESSAGE FROM THE GOVERNOR

March 12, 1975

The Honorable Pat McKittrick
Speaker of the House
of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I am honored to inform you that I have this day approved House Bill No. 679.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and passed, title and history agreed to, and the said bills and joint resolution are herewith returned to the House:

House Bill No. 188, introduced by Jack Moore

House Bill No. 304, introduced by Finley, R. Baeth, et al

House Bill No. 328, introduced by Palmer, Harper, et al

House Bill No. 365, introduced by R. Baeth, Johnston, et al

House Bill No. 388, introduced by Rasmussen

House Bill No. 508, introduced by Kendall

House Bill No. 661, introduced by Hager, Fagg, et al

House Joint Resolution No. 63, introduced by Richards

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee reports were this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 9

Conference Committee Report on Senate Amendments to House Bill No. 70

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 125, introduced by Yardley, Fagg

House Bill No. 152, introduced by Johnston, Mular, et al

House Bill No. 305, introduced by Finley, R. Baeth, et al

House Bill No. 396, introduced by Meloy, Huennekens, et al

House Bill No. 419, introduced by Richards, Huennekens, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 264 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 85.

Noes: Asher, Dussault, Holmes, Hubing, James Moore, Wyrick. Total 6.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen, Lynch, Scully, Teague. Total 4.

House Bill No. 285 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 79.

Noes: Asher, Ellerd, Fabrega, Holmes, Hubing, Mercer, Jack Moore, James Moore, Seifert, Smith, Wyrick. Total 11.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Bardanouve, Halvorson, Jacobsen, Lory, Sivertsen. Total 5.

Senate Bill No. 15 was concurred in by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Hager, Halvorson, Harper, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Scully, Shelden, South, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Yardley, Mr. Speaker. Total 56.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Barrett, Bertelsen, Casey, Ellerd, Ellis, Ellison, Fabrega, Gould, Guthrie, Gwynn, Hageman, Helmbrecht, Hubing, Johnston, Kropp, Kvaalen, Lockrem, Lund, Marks, Mercer, Jack Moore, Seifert, Sivertsen, Sloan, Smith, Staigmilller, Underdal, Wolfe, Wood, Wyrick. Total 36.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen, Rasmussen, Schye. Total 3.

Senate Bill No. 55 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Jack Moore. Total 1.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen. Total 1.

Senate Bill No. 77 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 80.

Noes: Barrett, Ellison, Guthrie, Hubing, Kropp, Kvaalen, Lockrem, Marks, Mercer, Schye, Seifert, Smith, Wood, Wyrick. Total 14.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen. Total 1.

Senate Bill No. 79 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Jack Moore. Total 1.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen, Schye. Total 2.

Senate Bill No. 195 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Bardanouve. Total 1.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen. Total 1.

Senate Bill No. 196 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen. Total 1.

Senate Bill No. 197 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Driscoll, Jacobsen, Lynch. Total 3.

Senate Bill No. 198 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen, Lynch, Teague. Total 3.

Senate Bill No. 199 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen, Kendall, Schye. Total 3.

Senate Bill No. 212 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Bradley, Ellis, Holmes, Kimble, McFadden, Jack Moore, James Moore, Mular, Richards, Sloan, Tropila. Total 11.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen, Lynch. Total 2.

Senate Bill No. 313 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Jacobsen, Lynch. Total 2.

Senate Bill No. 350 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Ellerd, Ellison, Fabrega, Guthrie, Gwynn, Hager, Hubing, Johnston, Kropp, Lockrem, Mercer, Jack Moore, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 25.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Bengtson, Jacobsen. Total 2.

Senate Bill No. 360 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Quilici, Richards, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 83.

Noes: Brand, Dassinger, Fabrega, Lester, Lockrem, Jack Moore, Palmer, Rasmussen, Seifert, Sloan, Yardley. Total 11.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Luebeck. Total 1.

Senate Bill No. 384 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague,

Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Richards. Total 1.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Bengtson. Total 1.

Senate Joint Resolution No. 3 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 81.

Noes: Babcock, Guthrie, Hubing, Kropp, Kvaalen, Lockrem, Marks, Mercer, Schye, Seifert, Smith, Wood, Wyrick. Total 13.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: Ellison. Total 1.

Senate Joint Resolution No. 16 was concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 74.

Noes: C.R. Anderson, Babcock, Barrett, Ellis, Ellison, Fabrega, Gunderson, Guthrie, Hubing, Johnson, Kropp, Lockrem, Lory, Marks, Mercer, Seifert, Sivertsen, Smith, Staigmillier, Wood, Wyrick. Total 21.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: None.

Senate Joint Resolution No. 25 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards,

Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Federico, Fleming, Lien, Robbins, Travis. Total 5.

Absent or not voting: South, Wolfe. Total 2.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 15, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 368 be not concurred in. (75-16)

That Senate Bill No. 210 be concurred in. (83-2)

That Senate Bill No. 237 be amended as follows:

1. Amend page 1, line 10.

Following: "carrier"

Insert: "as defined in section 8-101 (h)" (86-0)

And as amended, be concurred in. (92-0)

That Senate Bill No. 243 be concurred in. (88-1)

That Senate Bill No. 359 be amended as follows:

1. Amend page 1, section 1, line 12.

Following: "furnished"

Strike: ","

Insert: "which are authorized pursuant to Title XX of the Social Security Act, Public Law 93-641." (85-2)

And as amended, be concurred in. (88-0)

That Senate Bill No. 88 be concurred in. (85-0)

That Senate Bill No. 218 be not concurred in. (70-20)

That Senate Bill No. 231 be concurred in. (85-6)

That Senate Bill No. 279 be concurred in. (74-13)

That Senate Bill No. 379 be passed until the 59th Legislative Day.

That Senate Bill No. 397 be passed for the day.

That Senate Bill No. 398 be concurred in. (84-4)

Helmbrecht replaces Lynch in the Chair.

That Senate Bill No. 404 be not concurred in. (68-22)

That Senate Bill No. 164 be not concurred in. (50-45)

Lynch resumes the Chair.

That Senate Joint Resolution No. 24 be amended as follows:

1. Amend the title, lines 7 and 8.

Strike: "of the Senate and House Natural Resources Committees" (73-4)

And be further amended:

2. Amend page 1, lines 24 and 25.

Strike: "of the Senate and House Natural Resources Committees" (69-5)

And as amended, be concurred in. (68-8)

That Senate Bill No. 2 be concurred in. (70-5)

That Senate Bill No. 4 be concurred in. (55-33)

Ellis, Manuel and Fagg excused at this time.

That Senate Bill No. 14 be concurred in. (57-4)

That Senate Bill No. 38 be concurred in. (70-7)

That Senate Bill No. 39 be concurred in. (63-12)

That Senate Bill No. 51 be concurred in. (57-23)

That Senate Bill No. 138 be concurred in. (82-0)

That Senate Bill No. 148 be concurred in. (80-0)

That Senate Bill No. 154 be concurred in. (75-7)

That Senate Bill No. 158 be concurred in. (44-42)

That Senate Bill No. 162 be concurred in. (80-1)

That Senate Bill No. 174 be concurred in. (77-0)

That Senate Bill No. 207 be concurred in. (80-0)

That Senate Bill No. 251 be concurred in. (67-11)

That Senate Bill No. 292 be concurred in. (47-36)

That Senate Bill No. 299 be not concurred in. (79-4)

That Senate Bill No. 300 be passed for the day.

Meloy replaces Lynch in the Chair.

That Senate Bill No. 306 be concurred in. (49-33)

That Senate Bill No. 321 be concurred in. (76-0)

That Senate Bill No. 327 be amended as follows:

1. Amend page 1, section 1, line 21.

Following: "development"

Strike: " , "

Insert: " , for a period not to exceed five (5) years, by any one election."
(74-0)

And as amended, be concurred in. (56-16)

That the Committee rise and report.

LYNCH, Chairman

Menahan moved that Senate Bill No. 164 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 15, 1975

The following bills will be signed on adjournment on March 15, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 64, 113, 182, 194, 345, 353.

Edwin A. Smith, Chief Clerk
House of Representatives

March 15, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 92, respectfully report as follows: That Senate Bill No. 92 be amended in the Third Reading copy as follows:

1. Amend page 2, section 1, subsection (3) (a), line 22.

Following: "coal"

Insert: "or disruption of overlying aquifer"

2. Amend page 2, section 1, subsection (3) (a), line 23.

Following: "water"

Strike: "area"

Insert: "areas"

3. Amend page 2, section 1, subsection (3) (a), line 25.

Following: "coal"

Insert: "or overlying strata"

4. Amend page 3, section 1, subsection (3) (a), line 1.

Following: "coal"

Insert: "or the overlying strata"

5. Amend page 3, section 1, subsection (3) (a), line 1.

Following: "removed"

Insert: "or disrupted"

6. Amend page 3, section 1, subsection (3) (b), following line 10.

Insert: a new subsection (ii) and renumber subsequent subsections.

"(ii) require the defendant (operator) to install such monitoring wells or other practices that may be needed to determine the cause of water loss, if there is a loss, in terms of quantity or quality;"

And as amended, be concurred in.

BRADLEY, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 203, respectfully report as follows: That Senate Bill No. 203 be concurred in.

BRADLEY, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed: House Bills Nos. 269, 286.

JOHNSTON, Vice-Chairman

March 15, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 32, respectfully report as follows: That Senate Bill No. 32 be concurred in.

YARDLEY, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 165, respectfully report that Senate Bill No. 165 be concurred in.

YARDLEY, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 244, respectfully report as follows: That Senate Bill No. 244 be not concurred in.

YARDLEY, Chairman

Objection raised by Lien on the adverse committee report on Senate Bill No. 244. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 629, introduced by Fagg, Vincent, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 224, introduced by Brand, Menahan, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

Driscoll moved that the House adjourn until 1:30 p.m., March 17, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 17, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present, except Schye and Seifert, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following Joint Conference Committee to meet with a like committee of the Senate on the House Amendments to Senate Bill No. 57: Johnson, Chairman, McKittrick, and Ellerd.

REPORTS OF STANDING COMMITTEES

March 17, 1975

I have examined House Bill No. 175 introduced by me and find the same to be correct.

MAGONE

March 17, 1975

I have examined House Bill No. 220 introduced by me and find the same to be correct.

BRAND, Chairman

March 17, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 175, 220.

QUILICI, Chairman

March 17, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on March 15, 1975: Senate Bills Nos. 64, 113, 182, 194, 345, 353, Senate Joint Resolution No. 13.

Edwin A. Smith, Chief Clerk
House of Representatives

March 17, 1975

The following bills will be signed on adjournment on March 17, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 175, 220.

Edwin A. Smith, Chief Clerk
House of Representatives

March 17, 1975

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 255, respectfully report as follows: That Senate Bill No. 255 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, subsection (2), line 6.

Following: "this"

Strike: "act"

Insert: "section"

And as amended, be concurred in.

STAIGMILLER, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 1, respectfully report as follows: That Senate Bill No. 1 be amended in the Third Reading bill as follows:

1. Amend page 10, section 7, lines 16 and 17.

Following: "maintain"

Strike: "at the county seats and such other places"

Insert: "one or more stores, to be known as 'state liquor stores,'"

2. Amend page 10, section 7, lines 17 and 18.

Following: "department"

Strike: "deems advisable, one or more stores to be known as 'state liquor stores,'"

Insert: "finds feasible"

3. Amend page 103, section 88, subsection (4) (b), line 6.

Following: "section may not be"

Insert: "mortgaged or"

4. Amend page 103, section 88, subsection (4) (b), line 6.

Following: "security,"

Strike: "or"

Insert: "and"

5. Amend page 131, section 120, lines 15 and 16.

Following: "4-4-205,"

Strike: "4-404 is renumbered 4-4-403;"

And as amended, be concurred in.

SHELDEN, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 57, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 57.

The President appointed the following members:

Senator Graham, Chairman
Senator Flynn
Senator Himsl

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 385, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 612, introduced by Johnson, Kemmis

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 600, introduced by Bradley, Huennekens, et al.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 311, introduced by Travis.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion this day, duly carried, requests the return of House Bill No. 73 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Huennekens moved that Senate Bill No. 236 be taken from the Committee on Fish and Game and be placed on Second Reading.

Motion failed.

Driscoll moved that Senate Bills No. 368 and 218 be placed on Third Reading this day in accordance with Joint Rule 6-28.

Motion carried.

Driscoll moved that Senate Bill No. 235 be taken from Second Reading until the Sixtieth Legislative Day.

Motion carried.

Driscoll moved that the House accede to the request of the Senate to return House Bill No. 73 to the Senate.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 218 was not concurred in by the following vote:

Ayes: Bradley, Brand, Conroy, Driscoll, Ellerd, Ellis, Fabrega, Fagg, Federico, Gunderson, Hager, Holmes, Lester, Lory, Meloy, Palmer, Rasmussen, Stoltz, Thomas, Tropila, Williams, Wolfe, Mr. Speaker. Total 23.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Dassinger, Ellison, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Richards, Robbins, Scully, Sivertsen, Sloan, Smith, South, Travis, Underdal, Vincent, Wood, Wyrick, Yardley. Total 68.

Excused: Schye, Seifert. Total 2.

Absent or not voting: Day, Dussault, Johnson, Kvaalen, Shelden, Staigmiller, Teague. Total 7.

Senate Bill No. 368 was not concurred in by the following vote:

Ayes: Asher, Bardanouve, Brand, Casey, Ellerd, Ellison, Fabrega, Fagg, Hager, Halvorson, Helmbrecht, Huennekens, Lien, Lockrem, Lynch, Marks, Menahan, Mercer, James Moore, Quilici, Williams, Wolfe, Wood. Total 23.

Noes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Day, Driscoll, Dussault, Ellis, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lory, Luebeck, McFadden, Magone, Manuel, Meloy, Jack Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Wyrick, Yardley, Mr. Speaker. Total 68.

Excused: Schye, Seifert. Total 2.

Absent or not voting: Dassinger, Federico, Johnson, Kvaalen, Lund, Shelden, Teague. Total 7.

House Bill No. 269 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 89.

Noes: Asher, Richards, Wyrick. Total 3.

Excused: Schye, Seifert. Total 2.

Absent or not voting: Ellison, Federico, Hubing, Johnson, Kvaalen, Wood. Total 6.

House Bill No. 286 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: Asher, Ellerd, Ellison, Federico, Hubing, Lockrem, Marks, Smith, Travis, Wyrick. Total 10.

Excused: Schye, Seifert. Total 2.

Absent or not voting: Barrett, Conroy, Johnson, Kvaalen. Total 4.

Senate Bill No. 26 was concurred in by the following vote:

Ayes: Aageson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 92.

Noes: C.R. Anderson, J. Anderson, Barrett, Wyrick. Total 4.

Excused: Schye, Seifert. Total 2.

Absent or not voting: Johnson, Kvaalen. Total 2.

Senate Bill No. 317 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 93.

Noes: Hubing, Jack Moore, Wyrick. Total 3.

Excused: Schye, Seifert. Total 2.

Absent or not voting: Johnson, Kvaalen. Total 2.

Senate Bill No. 334 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Brand, Federico, Palmer. Total 3.

Excused: Schye, Seifert. Total 2.

Absent or not voting: Holmes, Johnson, Kvaalen, Travis. Total 4.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting with the exception of the sponsor of House Bill No. 289. Motion carried.

James Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 17, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 289 be amended as follows:

1. Amend page 8, section 10, line 6.
Strike: "208,989 234,071"
Insert: "215,489 240,571"
2. Amend page 9, section 10, line 4.
Following: "program"
Insert: "27,500 27,500"
3. Amend page 9, section 10, line 4.
Following: line 4.
Insert: "Total 880,512 913,677"
4. Amend page 9, section 10, line 5.
Strike: "above"
Insert: "following"
5. Amend page 10, section 10, lines 2, 3 and 7.
Strike: all of lines 2, 3 and 7.
6. Amend page 21, section 10, line 8.
Strike: "8,082,708 11,697,050"
Insert: "8,032,708 11,642,050"
7. Amend page 21, section 10, line 16.
Strike: "1,848,882 1,892,370"
Insert: "1,798,882 1,837,370"
8. Amend page 21, section 10, line 18.
Strike: "1,418,113 1,492,106"
Insert: "1,393,113 1,467,106"
9. Amend page 21, section 10, line 24.
Strike: "0" "0"
Insert: "125,000 135,000" (75-1)

And as amended, do pass. (84-10)

That the Committee rise and report.

JAMES MOORE,
Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 265, respectfully report as follows: That Senate Bill No. 265 be amended in the Third Reading bill as follows:

1. Amend page 5, section 1, subsection (2), lines 15 through 24.

Following: "(2)"

Strike: the remainder of these lines in their entirety.

2. Amend page 5, section 1, subsection (2), line 25.

Strike: "valves, pipes, or fixtures"

Insert: "No permit is required for any minor replacement or repair work, the performance of which does not have a significant potential for creating a condition hazardous to public health and safety. Determination of what constitutes minor replacement or repair work shall be made by the board of plumbers, subject to the right of the person affected to a hearing before the board"

3. Amend page 6, section 1, subsection (2), lines 3 and 4.

Following: "owner of"

Strike: "a single family residence used exclusively for his personal use"

Insert: "residential property"

4. Amend page 6, section 1, subsection (2), lines 6.

Following: "himself."

Insert: "The provisions of this act do not apply to regularly employed maintenance personnel doing maintenance work on the business premises of their employer."

And as amended, be concurred in.

KIMBLE, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 246, respectfully report as follows: That Senate Bill No. 246 be amended in the Third Reading bill as follows:

1. Amend page 4, section 4, subsection (3), line 6.

Following: "and repair"

Insert: "."

2. Amend page 4, section 4, subsection (3), line 7.

Strike: "air."

3. Amend page 12, section 16, subsection (C), line 3.

Following: "smelters,"

Insert: "underground mining operations,"

And as amended, be concurred in.

KIMBLE, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations,

having had under consideration Senate Bill No. 312, respectfully report as follows: That Senate Bill No. 312 be concurred in.

KIMBLE, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 54, respectfully report as follows: That Senate Bill No. 54 be concurred in.

KIMBLE, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 3, respectfully report as follows: That Senate Bill No. 3 be concurred in.

KIMBLE, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 135, respectfully report as follows: That Senate Bill No. 135 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 6.

Following: "least"

Strike: "forty"

Insert: "thirty"

2. Amend title, page 1, line 7.

Following: "action"

Insert: "; to provide twenty (20) days to submit data; and to provide for the extension of a hearing date up to twenty (20) days"

3. Amend page 2, section 1, line 1.

Following: "[twenty (20)]"

Strike: "forty (40)"

Insert: "thirty (30)"

4. Amend page 2, section 1, line 6.

Following: "[twenty (20)]"

Strike: "forty (40)"

Insert: "thirty (30)"

5. Amend page 2, section 1, line 7.

Following: "persons"

Strike: "reasonable opportunity"

Insert: "twenty (20) days"

6. Amend page 2, section 1, line 14.

Following: "affected."

Insert: "An interested person may file a written request with the agency to extend a hearing date up to twenty (20) days."

7. Amend page 3, section 1, subsection (2), line 3.

Following: "[twenty (20)]"

Strike: "forty (40)"

Insert: "thirty (30)"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 329, respectfully report as follows: That Senate Bill No. 329 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 5.

Following: "a"

Strike: "thirty"

Insert: "twenty"

2. Amend title, page 1, line 5.

Following: "dollar"

Strike: "(\$30)"

Insert: "(\$20)"

3. Amend title, page 1, lines 7 and 8.

Following: "house"

Strike: "and participation in the fee by local boards of health"

4. Amend title, page 1, lines 9 and 10.

Following: "department;"

Strike: "adopting an emergency enforcement remedy; providing for injunction;"

5. Amend page 1, section 1, line 19.

Following: "[\$10]"

Strike: "thirty"

Insert: "twenty"

6. Amend page 1, section 1, line 19.

Following: "dollars"

Strike: "(\$30)"

Insert: "(\$20)"

7. Amend page 2, section 1, subsection (c), lines 2 through 17.

Strike: subsections (c) and (d) in their entirety.

8. Amend page 4, section 3, lines 6 through 25 and page 5, lines 1 through 17.

Strike: sections 3 and 4 in their entirety.

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 330, respectfully report as follows: That Senate Bill No. 330 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 5.

Following: "a"

Strike: "thirty"
Insert: "twenty"

2. Amend title, page 1, line 5.

Following: "dollar"

Strike: "(\$30)"

Insert: "(\$20)"

3. Amend title, page 1, lines 6 and 7.

Following: "courts"

Strike: "and participation in the fee by local boards of health"

4. Amend title, page 1, lines 12 and 13.

Following: "convictions;"

Strike: "adopting an emergency enforcement remedy; providing for injunction;"

5. Amend page 1, section 1, line 24.

Following: "[(\$10)]"

Strike: "thirty"

Insert: "twenty"

6. Amend page 1, section 1, line 24.

Following: "dollars"

Strike: "(\$30)"

Insert: "(\$20)"

7. Amend page 2, section 1, subsection (2), lines 2 through 17.

Strike: subsections (2) and (3) in their entirety.

8. Amend page 4, section 3, lines 5 through 25, page 5, lines 1 through 25 and page 6, lines 1 through 9.

Strike: sections 3, 4 and 5 in their entirety.

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 352, respectfully report as follows: That Senate Bill No. 352 be concurred in.

BRAND, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 355, respectfully report as follows: That Senate Bill No. 355 be concurred in.

BRAND, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 354, respectfully report as follows: That Senate Bill No. 354 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 24.

Following: "for"

Insert: "and used exclusively by"

2. Amend page 2, section 1, line 2.

Following: "be"

Strike: the remainder of the bill.

Insert: "authorized"

And as amended, be concurred in.

BRAND, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 363, respectfully report as follows: That Senate Bill No. 363 be concurred in.

BRAND, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 364, respectfully report as follows: That Senate Bill No. 364, be concurred in.

BRAND, Chairman

Report adopted.

March 15, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 367, respectfully report as follows: That Senate Bill No. 367 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 5.

Following: "a"

Strike: "thirty"

Insert: "twenty"

2. Amend title, page 1, line 5.

Following: "dollar"

Strike: "(\$30)"

Insert: "(\$20)"

3. Amend title, lines 6 and 7.

Following: "establishments"

Strike: "and participation in the fee by local Boards of Health"

4. Amend title, page 1, line 10.

Following: "[remedy;]"

Strike: "providing for injunction;"

5. Amend page 1, section 1, subsection (2), line 21.

Following: "[(10)]"

Strike: "thirty"

Insert: "twenty"

6. Amend page 1, section 1, subsection (2), line 21.

Following: "dollars"

Strike: "\$30"

Insert: "\$20"

7. Amend page 1, section 1, subsection (3), lines 23 through 25, page 2, lines 1 through 13.

Strike: subsections (3) and (4) in their entirety.

8. Amend page 5, section 3, lines 15 through 23.

Strike: section 3 in its entirety and renumber all subsequent sections accordingly.

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 245, respectfully report as follows: That Senate Bill No. 245 be amended in the Third Reading bill as follows:

1. Amend page 6, section 1, subsection (5), line 25.

Following: "discharge of"

Strike: "wastewater"

Insert: "sewage as defined in section 69-4802, R.C.M. 1947"

And as amended, be concurred in.

MENAHAN, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 378, respectfully report as follows: That Senate Bill No. 378 be amended in the Third Reading bill as follows:

1. Amend page 5, section 4, subsection (2), line 2.

Following: "regions"

Strike: "shall"

Insert: "may"

And as amended, be concurred in.

MENAHAN, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 386, respectfully report as follows: That Senate Bill No. 386 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 12.

Following: "shall"

Insert: ", if possible,"

2. Amend page 1, section 1, lines 13 and 14.

Following: "sale[.]"

Strike: ", and such"

Insert: ". Such"

3. Amend page 1, section 1, line 14.

Following: "information"

Strike: "must"

Insert: "shall"

4. Amend page 1, section 1, line 15.

Following: "delivery"

Insert: ", if reasonably available to the supplier"

5. Amend page 1, section 1, line 19.

Following: "consumer."

Insert: "If the country of origin or foreign meat is unknown, the words 'COUNTRY OF ORIGIN UNKNOWN' shall be placed upon the package in like manner."

6. Amend page 2, following line 3.

Insert: a new section 3 to read as follows and renumber the subsequent section:

"Section 3. The legislature finds that sanitary meat inspection standards in other meat producing nations cannot be guaranteed to be equal to the standards applied to the inspection of American meat, and declares that the purpose of this act is to protect the public health and safety by placing Montana consumers on notice of the possibility of lower inspection standards in such other nations."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

MENAHAN, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 387, respectfully report as follows: That Senate Bill No. 387 be concurred in.

MENAHAN, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 22, respectfully report as follows: That Senate Joint Resolution No. 22 be amended in the Third Reading bill as follows:

1. Amend page 3, line 3.

Following: "Judges' Association;"

Insert: "the Montana Corrections Association; the Montana Sheriffs' and Peace Officers' Association;"

And as amended, be concurred in.

MENAHAN, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration Senate Bill No. 161, respectfully report as follows: That Senate Bill No. 161 be amended in the Third Reading bill as follows:

1. Amend page 2, section 2, line 2.

Following: "juror if"

Strike: "."

Insert: "he is"

2. Amend page 2, section 2, subsections 1., 2., 3., lines 3 through 10.

Strike: all of subsections 1, 2 and 3 in their entirety.

3. Amend page 2, section 2, subsection 4, line 11.

Strike: "4."

4. Amend page 2, section 2, subsection 4, line 12.

Following: "[her.]"

Strike: "A"

Insert: "a"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 31, respectfully report as follows: That Senate Bill No. 31 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 20.

Following: "than"

Strike: "60"

Insert: "sixty (60)"

2. Amend page 1, section 1, line 20.

Following: "days"

Insert: "in odd numbered years and of not more than forty (40) legislative days in even numbered years"

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 202, respectfully report as follows: That Senate Bill No. 202 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 18.

Following: "[(\$10)]"

Strike: "five (5)"

Insert: "ten (10)"

2. Amend page 2, section 3, line 18.

Following: "false"

Strike: "[or]"

Insert: "or intentionally"

3. Amend page 2, section 3, line 19.

Strike: "[misleading]"

Insert: "misleading"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 76, respectfully report as follows: That Senate Bill No. 76 be amended in the Third Reading bill and Committee on Judiciary Amendment dated March 12, 1975 as follows:

1. Amend the Committee on Judiciary amendment No. 1.

Strike: the amendment in its entirety.

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 268, respectfully report as follows: That Senate Bill No. 268 be amended in the Third Reading bill as follows:

1. Amend title, page 1, lines 8 and 9.

Following: "committee;"

Strike: "authorizing the committee to suspend rules until the next regular legislative session;"

2. Amend title, page 1, line 10.

Following: "section"

Strike: "84-4204"

Insert: "82-4204"

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 48, respectfully report as follows: That Senate Bill No. 48 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 189, respectfully report as follows: That Senate Bill No. 189 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and

Safety, having had under consideration Senate Bill No. 61, respectfully report as follows: That Senate Bill No. 61 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 15.

Following: "[69-6224]"

Strike: "69-6226"

Insert: "2 of this act"

2. Amend page 1, section 2, lines 20 and 21.

Following: "R.C.M. section"

Strike: "numbered 69-6226"

3. Amend page 1, section 2, line 22.

Strike: "69-6226."

4. Amend page 2, section 2, subsection (2), line 4.

Following: "this"

Strike: "act"

Insert: "section"

5. Amend page 3, section 3, subsection (1), line 11.

Following: "offense"

Insert: "solely by reason of being in such condition,"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

MENAHAN, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 217, respectfully report as follows: That Senate Bill No. 217 be amended in the Third Reading bill as follows:

1. Amend the title, page 1, line 8.

Following: "adults;"

Insert: "amending section 11-2702.1, R.C.M. 1947, to add such homes to the definition of a community residential facility;"

2. Amend page 2, section 4, line 24.

Following: "shall"

Insert: "provide for the safety and comfort of the residents, and shall"

3. Amend page 3, following line 6.

Insert: a new section 6 as follows and renumber the subsequent section:

"Section 6. Section 11-2702.1, R.C.M. 1947, is amended to read as follows:

'11-2702.1. Community residential facility—defined. "Community residential facility" means (1) a group, foster, or other home specifically provided as a place of residence for developmentally disabled or handicapped persons who do not require nursing care, or (2) a district youth guidance home established pursuant to section 10-1103, or (3) a halfway house operated in accordance with regulations of the department of health and environmental sciences for the rehabilitation of alcoholics or drug dependent persons[.], or (4) a licensed adult foster family care home."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

MENAHAN, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 227, respectfully report as follows: That Senate Bill No. 227 be amended in the Third Reading bill as follows:

1. Amend page 5, section 2, subsection (3), line 5.

Strike: "thirty (30) days"

Insert: "a reasonable time not to exceed one (1) year"

2. Amend page 5, section 3, subsection (1), line 16.

Following: "to exceed"

Strike: "ten dollars (\$10)"

Insert: "thirty-five dollars (\$35)"

3. Amend page 5, section 3, subsection (1), lines 16 through 18.

Following: "parcel"

Strike: " , and collectible only upon departmental approval of the plat or subdivision,"

And as amended, be concurred in.

MENAHAN, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 304, respectfully report as follows: That Senate Bill No. 304 be concurred in.

MENAHAN, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 323, respectfully report as follows: That Senate Bill No. 323 be concurred in.

MENAHAN, Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 331, respectfully report as follows: That Senate Bill No. 331 be concurred in.

MENAHAN, Chairman

Report adopted.

March 14, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 393, respectfully report as follows: That Senate Bill No. 393 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, subsection (6), line 13.

Following: "elect"

Strike: "two (2)"

Insert: "one (1)"

And as amended, be not concurred in.

HUENNEKENS, Chairman

REPORTS OF SELECT COMMITTEES

March 17, 1975

Joint Conference Committee Report On House Bill No. 106

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 106, met March 17, 1975, and considered Senate Committee on Taxation Amendments dated March 6, 1975, to House Bill No. 106, and recommend as follows:

That the Senate recede from the Senate Committee on Taxation Amendment No. 1,

And further that the Third Reading copy of House Bill No. 106 be amended as follows:

1. Amend page 2, section 1, line 17.

Following: "or"

Strike: "on facsimiles of such forms"

Insert: "in writing to the department"

And that House Bill No. 106, as so amended, be concurred in.

FOR THE SENATE:

WATT, Chairman
NORMAN
BROWN

FOR THE HOUSE:

DASSINGER, Chairman
TEAGUE
FABREGA

Report adopted.

MESSAGES FROM THE GOVERNOR

March 17, 1975

The Honorable Pat McKittrick
Speaker of the House
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 89, 91, 92, 136, 150, 169, 246, 287, 315, and 514.

Sincerely,

THOMAS L. JUDGE
Governor

March 17, 1975

The Honorable Gordon McOmber
President of the Senate

State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 62, 82, 99, 105, 107, 129, 133, 168, 209, 213, and 232.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

March 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolutions were this day read three several times, and passed, title and history agreed to, and the said bills and joint resolutions are herewith returned to the House:

House Bill No. 33, introduced by Murphy, Mular, et al

House Bill No. 76, introduced by Kemmis, Lory, et al

House Bill No. 336, introduced by Murphy

House Bill No. 338, introduced by J. Anderson, Lien

House Bill No. 386, introduced by Menahan

House Bill No. 473, introduced by Fagg, Lockrem, et al

House Bill No. 530, introduced by Gunderson, Jacobsen, et al

House Bill No. 536, introduced by South, Gerke

House Bill No. 618, introduced by Fleming

House Joint Resolution No. 13, introduced by Bengtson, Brand, et al

House Joint Resolution No. 32, introduced by Kummerfeldt, Stoltz, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 61, introduced by South, Hubing

House Bill No. 185, introduced by Lien

House Bill No. 603, introduced by Scully

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House amendments to Senate Bill No. 121 were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 280, introduced by Bradley, Jim Moore, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Rasmussen moved that the rules be temporarily suspended so that material related to Senate Bill No. 314 can be placed on the desks of members of this assembly.

Motion carried.

Driscoll moved that the House adjourn until 1:00 p.m., March 18, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 18, 1975

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hageman, Hubing, Menahan, and Wyrick, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Joint Resolution No. 7, House Bills Nos. 118, 178, 241, 304, 352, 397, 484, 499.

JOHNSTON, Vice-Chairman

March 18, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 17, 1975: House Bills Nos. 175, 220.

Edwin A. Smith, Chief Clerk
House of Representatives

March 18, 1975

The following bills and resolutions will be signed on adjournment on March 18, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 7, House Bills Nos. 118, 178, 241, 304, 352, 397, 484, 499, Senate Bill No. 283, Senate Joint Resolutions Nos. 7, 27.

Edwin A. Smith, Chief Clerk
House of Representatives

March 17, 1975

I have examined House Joint Resolution No. 7 introduced by me and find the same to be correct.

HARPER

March 17, 1975

I have examined House Bill No. 484 introduced by me and find the same to be correct.

BRAND

March 17, 1975

I have examined House Bill No. 499 introduced by me and find the same to be correct.

FLEMING

March 17, 1975

I have examined House Bill No. 397 introduced by me and find the same to be correct.

STOLTZ

March 17, 1975

I have examined House Bill No. 178 introduced by me and find the same to be correct.

SOUTH

March 17, 1975

I have examined House Bill No. 304 introduced by me and find the same to be correct.

FINLEY

March 17, 1975

I have examined House Bill No. 241 introduced by me and find the same to be correct.

HALVORSON

March 17, 1975

I have examined House Bill No. 118 introduced by me and find the same to be correct.

LESTER

March 17, 1975

I have examined House Bill No. 352 introduced by me and find the same to be correct.

DUSSAULT

March 17, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 120, respectfully report as follows: That Senate Bill No. 120 be concurred in.

MELOY, Acting Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 122, respectfully report as follows: That Senate Bill No. 122 be concurred in.

MELOY, Acting Chairman

Report adopted.

March 17, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 402, respectfully report as follows: That Senate Bill No. 402 be amended in the Third Reading bill as follows:

1. Amend page 2, section 4, subsection (2), line 14.
Following: "contributions"

Insert: "for use in a general election"

2. Amend page 2, section 4, subsection (3), line 17.

Following: "office"

Insert: "in a general election"

3. Amend page 2, section 4, following line 17.

Insert: a new subsection (4) to read as follows:

"(4) No candidate may make expenditures of his personal funds in support of a campaign for judicial office in a general election except as provided in subsection (5)."

Renumber: subsequent subsections.

4. Amend page 4, section 6, following line 24.

Insert: a new subsection (5) to read as follows:

"(5) If any funds received by a candidate under this act remain unexpended after all campaign debts have been satisfied, the unexpended funds shall be returned to the earmarked revenue account created under this act."

5. Amend page 5, section 7, subsection (1), line 5.

Following: "tax"

Insert: "as follows:"

6. Amend page 5, section 7, subsection (A), line 8.

Following: "annum"

Strike: "."

Insert: "and;"

And as amended, be concurred in.

MELOY, Acting Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 80, introduced by Meloy, Huennekens, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Jack Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 18, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 164 be amended as follows:

1. Amend page 1, section 1, line 18.

Following: "lots."

Insert: "No other reduction shall be made by the department of revenue for quantity sales of liquor." (82-1)

Driscoll moved that Senate Bill No. 164 be passed until the 62nd day. Lynch requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: R. Baeth, W. Baeth, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellerd, Fabrega, Federico, Gerke, Halvorson, Herlevi, Holmes, Huennekens, Jacobsen, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lory, Lund, Magone, Meloy, Palmer, Richards, Shelden, Sloan, South, Staigmiller, Stoltz, Travis, Vincent, Williams, Wolfe, Yardley. Total 38.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Casey, Conroy, Day, Ellis, Ellison, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Harper, Helmbrecht, Johnson, Johnston, Kanduch, Kelly, Kummerfeldt, Lien, Lockrem, Luebeck, Lynch, McFadden, McKittrick, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Smith, Teague, Thomas, Tropila, Underdal, Wood. Total 57.

Paired: Driscoll, Meloy, Ayes; Menahan, Quilici, Nays.

Excused: Hageman, Hubing, Wyrick. Total 3.

Absent or not voting: Bardanouve, Brand. Total 2.

Gerke asked for a ruling on the question of conflict of interest and who may vote. The Chairman ruled that all members would be allowed to vote. Gerke challenged the ruling.

House recessed.

House resumed.

The Rules Committee reported that they voted unanimously to uphold the ruling of the Chair.

Thereupon, that as amended, Senate Bill No. 164 be concurred in. (56-36)

That Senate Bill No. 339 be concurred in. (79-2)

That Senate Bill No. 343 be concurred in. (76-6)

That Senate Bill No. 344 be concurred in. (75-0)

That Senate Joint Resolution No. 17 be concurred in. (70-15)

That Senate Bill No. 234 be concurred in. (70-13)

That Senate Bill No. 238 be concurred in. (80-2)

That Senate Bill No. 269 be concurred in. (80-1)

That Senate Bill No. 278 be amended as follows:

1. Amend page 10, section 14, lines 14 through 17.

Insert: subsections (2) and (3) in their entirety as they appeared in the Third Reading copy before being struck by the House Committee on Agriculture, Livestock, and Irrigation Amendment No. 1, dated March 14, 1975. (55-20)

Wyrick present at this time.

And as amended, be concurred in. (67-11)

That Senate Bill No. 315 be passed to the bottom of the board.

That Senate Bill No. 337 be concurred in. (75-0)

That Senate Bill No. 371 be concurred in. (74-1)

That Senate Bill No. 372 be concurred in. (79-2)

That Senate Bill No. 379 be amended as follows:

1. Amend page 2, section 1, line 16.

Following: "fund."

Strike: """"

Insert: a new subsection

"(3) A county that requires additional revenues to finance the county road fund at the level of funding provided by this section prior to these 1975 amendments may levy up to five (5) mills in addition to the general road tax authorized under section 32-3601, R.C.M. 1947." (70-12)

Menahan present at this time.

And as amended, be concurred in. (48-40)

That Senate Amendments to House Bills and Conference Committee reports be passed to the bottom of the board.

That Senate Bill No. 300 be passed to the bottom of the board.

That Senate Bill No. 397 be concurred in. (68-6)

That Senate Bill No. 165 be placed below Senate Bill No. 32 on the board.

That Senate Bill No. 32 be concurred in. (64-7)

Meloy replaces Jack Moore in the Chair.

That Senate Bill No. 165 be concurred in. (75-8)

Jack Moore resumes the Chair.

That Senate Bill No. 92 be amended as follows:

1. Amend page 3, line 11.

Strike: "thirty days"

Insert: "ninety days"

2. Amend page 3, line 14.

Following: "operator"

Insert: "in compliance with the water use act" (81-0)

And as amended, be concurred in. (82-3)

That Senate Bill No. 203 be passed to the bottom of the board.

That Senate Bill No. 244 be not concurred in. (54-31)

That Senate Bill No. 275 be passed for the day.

That Senate Bill No. 325 be concurred in. (68-12)

That Senate Bill No. 1 be concurred in. (68-17)

That Senate Bill No. 3 be concurred in. (85-2)

That the Committee rise and report.

JACK MOORE
Chairman

Gunderson moved that Senate Bill No. 379 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

COMMUNICATIONS AND PETITIONS

March 13, 1975

Honorable Pat McKittrick, Speaker
Montana House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

Section 70-703 (3) R.C.M. 1947, concerning qualifications of members of the Legislative Consumer Committee states, "Any person who is an employee, agent, officer, partner or director of any regulated company, or who has served a regulated company in any capacity within the three (3) years previous to his appointment may not be a member of the committee." (emphasis supplied).

Because of that provision, I question the re-appointment of Representative Joe Quilici of Butte whose firm has, I understand, in the past, and is presently engaged as a sub-contractor for the Montana Power Company. It has been brought to my attention that Representative Quilici's firm was recently awarded major contracts in connection with the remodeling of both the Old Murray Building and the Montana Power Company Corporate Offices in Butte.

That would seem to me to stand as a probable conflict of interest and a potential violation of law. I am sure you were unaware of Representative Quilici's contracts with the Montana Power Company when you reappointed him. Therefore, I am forwarding this information to you for your consideration and appropriate action.

With continuing best regards, I am

Sincerely yours,
Robert J. Harper
March 14, 1975

The Honorable Robert Woodahl
Attorney General
State Capitol
Helena, Montana

Dear Mr. Woodahl:

On the 27th day of January 1975, I reappointed Representative Joe Quilici to the Legislative Consumer Committee.

I received on March 13, 1975, a letter from Representative Robert J. Harper concerning whether or not Representative Quilici is qualified for that membership. Representative Harper cited as authority Section 70-703 (3) R.C.M. 1947. A copy of Representative Harper's letter is attached hereto.

I would appreciate having from you, at your earliest convenience, a legal opinion relative to the substance of Representative Harper's letter of March 13, 1975.

Sincerely,

Pat McKittrick
Speaker of the House

March 18, 1975

Mr. Pat McKittrick
Speaker of the House
Montana State House
of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I am in receipt of your recent letter wherein you asked for my opinion on the following question:

May a member of the House of Representatives who was awarded a contract with a regulated company on the basis of submitting the lowest competitive bid serve as a member of the legislative consumer committee?

More specifically, your question involves the following facts. You reappointed Representative Joe Quilici to serve on the legislative consumer committee. Representative Quilici is a glazier by profession and owns and operates his own glass shop. A regulated company, The Montana Power Company, asked for competitive bids for construction work to be done for their organization. Representative Quilici submitted a competitive bid for a portion of this construction work. Because he submitted the lowest responsible bid he was awarded the contract. Representative Robert Harper, who is not a member of the legislative consumer committee, has questioned your appointment of Representative Quilici. Representative Harper contends that because of Representative Quilici's contract with The Montana Power Company a conflict of interest may arise as well as a possible violation of section 70-703, Revised Codes of Montana, 1947. You have asked for my opinion as to whether Representative Quilici is prohibited from serving on the legislative consumer committee because he was awarded the aforementioned contract on a competitive bid basis.

The Forty-third Legislative Assembly enacted the "Consumer Counsel Act". Chapter 7, Title 70, Revised Codes of Montana, 1947. Section 70-703, R.C.M. 1947 creates the legislative consumer committee. This committee consists of two members of the senate and two members of the house of representatives. The statute prohibits certain legislators from serving on said committee. Section 70-703 (3), *supra*, states:

"(3) Any person who is an employee, agent, officer, partner, or director of any regulated company, or who has served a regulated company in any capacity within the three (3) years previous to his appointment may not be a member of the committee."

In construing a statute, the intention of the legislature is controlling. Section 93-401-16, R.C.M. 1947. *Dunphy v. Anaconda Company*, 151 Mont. 76, 438 P.2d 660 (1968). It is apparent from reading section 70-703, *supra*, the legislature desired to prohibit anyone who had a direct interest in or who was subject to the control of a regulated company from serving on the legislative consumer committee. This prohibition is stated in the statute, which states in part:

"Any person who is an employee, agent, officer, partner, or director of any regulated company,..."

This portion of the statute speaks in the present tense. Any person serving in such a position at the time of his potential appointment is definitely excluded. The legislature also wanted to assure that prospective appointees did not have any past ties with the regulated company. To insure this the legislature provided:

"...or who has served a regulated company in any capacity within the three (3) years previous to his appointment..."

This portion of the statute speaks in the past tense. It specifically excludes those legislators who have served a regulated company in any capacity within the previous three (3) years prior to his appointment. The meaning of the phrase "in any capacity" must be explored.

The legislative consumer committee was intended to be, indeed must be, completely independent from those regulated companies it is charged with investigating. Members of the committee must be free to exercise their judgment without fear of reprisal from a subject regulated company. Consequently, the legislature prohibited those persons who are directly under the control of, responsible to, or answerable to the management of a regulated company from serving on the committee. Those categories of individuals are clearly set forth in section 70-703, *supra*: employee, agent, officer, partner, or director. These individuals' judgment could be influenced by their employment and employer. They all have a direct relationship with the particular practices of their respective regulated company, hence, they were specifically excluded.

Ties to a regulated company do not cease after one's employment ceases. Consequently, the legislature provided that all those who served the regulated company "in any capacity" during the three (3) years preceding his appointment must likewise be prohibited from serving on the committee. It is my opinion that the language "in any capacity" refers to the positions previously mentioned in section 70-703 (3), *supra*, i.e. employee, agent, officer, partner, or director. Such a construction of the statute would clearly carry out the intention of the legislature—making the committee free from the influence of any regulated company.

A legislative representative who owns and operates his own business, but who submits competitive bids at the request of a regulated company, cannot be considered an employee, agent, officer, partner, or director of said regulated company. He is clearly an independent contractor. The Montana Supreme Court has defined the term "independent contractor". In *Greening v. Gazette Printing Company*, 108 Mont. 158, 88 P.2d 862 (1939), the court said:

"The relation of the parties under a contract of employment is determined by an answer to the question, Does the employee in doing the work submit himself to the direction of the employer, both as to the details of it and the means by which it is to be accomplished? If he does, he is a servant, and not an independent contractor. If, on the other hand, the employee has contracted to do a piece of work, furnishing his own means and executing it according to his own ideas, in pursuance of a plan previously given him by the employer, without being subject to the orders of the latter as to detail, he is an independent contractor.

An independent contractor is a person employed to perform work on terms that he is to be free from the control of the employer as respects the manner in which the details of the work are to be executed. The court, in discussing the matter of control, said: 'As to control, it is necessarily implied that the employer may insist that the contract shall be performed according to the specifications.'"

In the instant case, the services furnished to the Montana Power Company were done by an independent contractor. The Montana Power Company sought bids for material and labor to furnish one of its buildings. On December 27, 1974, Quilici Glass submitted a bid for \$30,691. On January 8, 1975, Pittsburgh Plate Glass Industries submitted a bid for \$33,000. The bid was subsequently let to Quilici Glass on the basis of the lowest responsible bid. Quilici Glass was the offeror—Montana Power Company was the offeree. Montana Power Company was under no obligation to accept the bid of Quilici Glass. Once the bid was accepted, the Montana Power Company did not have the right to exercise any control over the contractor in the performance of his work, save except to insure that the job specifications were satisfied. The contractor was free to complete his task using his own ideas and means. He was not subject to the directions of the Montana Power Company.

It is my opinion that an independent contractor who secures a contract from a regulated company on a competitive bid basis is not prohibited from serving on the legislative consumer committee. The mandates of section 70-703 (3), *supra*, do not encompass those individuals who furnish labor or supplies on a competitive bid basis as an independent contractor to a regulated company. To rule otherwise would lead to an absurd result. A legislator would be excluded if he sells paper clips or distributes soft drinks for pop machines to a regulated company on a competitive bid basis. In fact, every legislator who purchases any type of consumer goods would be prohibited from serving on this committee since most goods are transported to Montana by a regulated transportation company. There is no reason why an individual, who as an independent contractor, should be prohibited from serving on the legislative consumer committee simply because his business is of such a nature that he occasionally furnishes goods and/or services to a regulated company on a competitive bid basis. The statute intended that those under the control of or responsible to a regulated company be forbidden from serving on the committee. An independent contractor who is awarded a contract on a competitive bid basis is not under the control of or responsible to any regulated company.

Representative Harper's allegations regarding Representative Quilici have no basis. Such allegations are not supported by the facts and certainly not by the law.

Representative Harper's further contention that Representative Quilici's position may create a conflict of interest can be laid to rest. Representative Harper's letter to you implies that Representative Quilici, because he has done contracted work for the Montana Power Company,

would tend to favor the position of said regulated company. A study of Representative Quilici's "track record" while a member of the legislative consumer committee speaks for itself. Since Representative Quilici has been a member of the committee the Montana Power Company has sought two rate increases. In both instances, once in 1973 and once in 1974, Representative Quilici made the motion before the committee that these rate changes be investigated. The committee passed his motions. In 1974 he again presented a motion before the committee requesting that business practices of the Montana Power Company be investigated. This motion also carried. Finally, in 1975, Representative Quilici again presented a motion to the committee asking that the rate structures and cost calculations of a wholly owned subsidiary of the Montana Power Company be investigated. This motion also carried.

All the investigations and court challenges that have been conducted by the legislative consumer committee regarding the Montana Power Company have been initiated by Representative Quilici. Consequently, Representative Harper's claim that Representative Quilici may be caught in a conflict of interest is clearly refuted by the record. Again, Representative Harper's allegations are totally without merit.

Therefore it is my opinion, that a member of the House of Representatives, who is an independent contractor, may serve on the legislative consumer committee even though he was awarded a contract, on a competitive basis, to furnish labor and supplies to a regulated company.

Very truly yours,

ROBERT L. WOODAHL
Attorney General

March 12, 1975

Rep. Pat McKittrick, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59601

Dear Mr. Speaker:

I appreciated receiving a copy of House Joint Resolution 21 which you sponsored, calling for preferential allocation of Canadian crude oil. I certainly agree.

On January 29th, Federal Energy Administrator Frank Zarb met at my invitation with Senators and Congressmen from Montana, Minnesota, North Dakota and Wisconsin to require that refiners in our states get the Canadian oil on a priority basis. Enclosed is a copy of my follow-up letter to Zarb which explains what we may have accomplished and still need to do.

I understand there will now be another meeting this month with the Canadians on the subject of allocating their crude oil exports in the northern tier, and I'll keep up the pressure for the preferential program we need.

Your action with HJR 21 certainly emphasizes Montana's interests and needs.

Best regards.

Sincerely,
John Melcher

January 31, 1975

Mr. Frank Zarb
Administrator
Federal Energy Administration
Washington, D. C.

Dear Mr. Zarb:

I know I speak for all Congressmen and Senators from Montana, Minnesota, North Dakota and Wisconsin when I express my appreciation for the candid exchange of views on Northern Tier crude oil problems with those able to attend our meeting on January 29th.

I am particularly encouraged by your assurance that our refineries will not be allowed to run out of oil or go bankrupt should Canada hold to its scheduled oil export phaseout. I am also pleased that the Federal Energy Administration will pay particular attention to the needs of small and independent refineries as it deals with this problem.

You mentioned that if it becomes necessary to implement an allocation system for Canadian crude oil, FEA would base it upon: a) Historic usage, and b) alternative sources of supply. Let me emphasize that while historic usage is one consideration, the most important criterion for determining Canadian dependence is the ability to acquire and move alternative crude oil supplies to the refineries in the Northern Tier. The states of Montana, Minnesota, North Dakota and Wisconsin face an especially critical problem of crude oil supply when viewed from that perspective.

It is clear that FEA must move as rapidly as possible to identify the truly Canadian-dependent refineries which may require allocation assistance. I am also convinced you should now request the necessary changes in the appropriate presidential proclamations in order to begin a preferential allocation program as soon as any Canadian crude oil reduction effects are felt.

Again, I appreciate your attention to this matter and look forward to working with you in the future.

Sincerely,

John Melcher

REPORTS OF STANDING COMMITTEES

March 18, 1975

The following bills will be signed on adjournment on March 18, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 37, 89, 102, 293.

Edwin A. Smith, Chief Clerk
House of Representatives

March 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly enrolled: House Bills Nos. 102, 381, 497, 498, 500, 661, 258, 375, House Joint Resolutions Nos. 27, 3.

QUILICI, Chairman

March 18, 1975

The following bills and resolutions will be signed on adjournment on

March 18, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 102, 381, 497, 498, 500, 661, 258, 375, House Joint Resolutions Nos. 27, 3.

Edwin A. Smith, Chief Clerk
House of Representatives

March 18, 1975

I have examined House Bill No. 258 introduced by me and find the same to be correct.

HUENNEKENS

March 18, 1975

I have examined House Bill No. 375 introduced by me and find the same to be correct.

HELMBRECHT

March 18, 1975

I have examined House Bill No. 500 introduced by me and find the same to be correct.

SLOAN

March 18, 1975

I have examined House Bill No. 661 introduced by me and find the same to be correct.

HAGER

March 18, 1975

I have examined House Joint Resolution No. 27 introduced by me and find the same to be correct.

VINCENT

March 18, 1975

I have examined House Bill No. 102 introduced by me and find the same to be correct.

HUENNEKENS

March 18, 1975

I have examined House Bill No. 498 introduced by me and find the same to be correct.

FLEMING

March 18, 1975

I have examined House Bill No. 497 introduced by me and find the same to be correct.

FLEMING

March 18, 1975

I have examined House Joint Resolution No. 3 introduced by me and find the same to be correct.

HALVORSON

March 18, 1975

I have examined House Bill No. 381 introduced by me and find the same to be correct.

BRADLEY

March 18, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 25, respectfully report as follows: That Senate Bill No. 25 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 6.

Following: "employees"

Strike: "[to fifteen] ten dollars [(\$15)] (\$10) per month"

2. Amend page 2, section 1, line 8.

Following: "year."

Strike: "Provided, however, that"

Insert: "However,"

3. Amend page 2, section 1, line 9.

Following: "and"

Strike: "employees"

4. Amend page 2, section 1, line 10.

Following: "units"

Insert: ", the employer's"

5. Amend page 2, section 1, line 10.

Following: "contributions"

Strike: "are not subject to [the ten dollar fifteen (\$10) (\$15) limitation] limitations of"

Insert: "may exceed but shall not be less than the amount specified in"

6. Amend page 2, lines 13 through 18.

Strike: lines 13 through 18 in their present form.

Insert: "Section 2. Funding. In compliance with section 43-517, the administration of this act is declared a public purpose of a county, city, or town which may be in addition to any other levy and may be paid out of the general fund of the governing body and financed by a levy on the taxable value of property within the county, city, or town."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 23, respectfully report as follows: That Senate Bill No. 23 be amended in the Third Reading copy as follows:

1. Amend the title, page 1, lines 5 and 6.

Strike: "; and providing an effective date"

2. Amend page 2, section 2, line 9.

Following: "Section 2."

Strike: all remaining language of the section.

Insert: "The same method of appraisal and assessment shall be used in each county of the state to the end that comparable property with similar true market values and subject to taxation in Montana shall have substantially equal taxable values at the end of each cyclical revaluation program hereinbefore provided."

3. Amend page 3, section 6, lines 14 and 15.

Strike: section 6 in its entirety.

And as amended, be concurred in.

YARDLEY, Chairman

Report adopted.

March 18, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 103, respectfully report as follows: That Senate Bill No. 103 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 180, respectfully report as follows: That Senate Bill No. 180 be concurred in.

YARDLEY, Chairman

Report adopted.

March 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 264, respectfully report as follows: That Senate Bill No. 264 be concurred in.

YARDLEY, Chairman

Report adopted.

March 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 140, respectfully report as follows: That Senate Bill No. 140 be concurred in.

YARDLEY, Chairman

Report adopted.

March 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 173, respectfully report as follows: That Senate Bill No. 173 be concurred in.

YARDLEY, Chairman

Report adopted.

March 18, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 310, respectfully report as follows: That Senate Bill No. 310 be amended in the Third Reading bill as follows:

1. Amend page 2, section 3, subsection (5), line 21.

Following: "a"

Strike: "major"

2. Amend page 2, section 3, subsection (5), lines 24 and 25; and on page 3, line 1.

Following: "this act]"

Strike: the remainder of subsection (5) in its entirety.

Insert: "."

3. Amend page 3, section 5, subsections (1), (2), and (3), lines 16 through 25; and on page 4, lines 1 through 11.

Strike: all of subsections (1), (2) and (3).

Insert: the following three new subsections (1), (2) and (3).

"(1) The supervisors shall receive all notices of proposed projects within their district. They shall, within five (5) days of receipt of a notice, examine and investigate the notice and determine whether the proposal is for a project. They shall, within such period, send a copy of their determination to the department and the applicant. If the supervisors determine that the proposal is not a project, the applicant may, ten (10) days after mailing of such determination to the applicant, proceed with the proposed activity unless a team member requests arbitration as provided for in section 6 of this act.

(2) If the supervisors determine that the proposal is for a project, the department shall, within five (5) days of receipt of such determination, notify the supervisors whether the department requests an on-site inspection by a team.

(3) The supervisors shall call a team together within twenty (20) days of receipt of the request of the department for an on-site inspection. Any member of the team shall notify the supervisors in writing within five (5) days after notice of the call for an inspection of his waiver of participation in the inspection. If the department does not request an on-site inspection within the time specified above, the supervisors may deny or approve the project or may make recommendations for alternative plans."

4. Amend page 5, section 5, subsection (7), line 10.

Following: "members."

Insert: "If the written decision of the supervisors approves the proposed project without recommendation or alternative plan, the applicant may proceed with the project upon the expiration of ten (10) days after receipt of the decision."

5. Amend page 8, section 11, subsection (1), lines 17 and 18.

Following: "conservation"

Strike: "in cooperation"

Insert: "after consultation"

6. Amend page 8, section 11, subsection (2), lines 22 through 25; and on page 9, lines 1 through 5.

Strike: subsection (2) in its entirety.

Insert: "(2) By January 1, 1976, the supervisors of each district shall adopt by resolution after a public hearing rules setting standards and guidelines for projects within their districts which shall meet or exceed the minimum standards set by the board under subsection (1) of this section."

And as amended, be concurred in.

BRADLEY, Chairman

Report adopted.

March 18, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had

under consideration Senate Bill No. 338, respectfully report as follows: That Senate Bill No. 338 be concurred in.

BRADLEY, Chairman

Report adopted.

March 18, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 374, respectfully report as follows: That Senate Bill No. 374 be concurred in.

BRADLEY, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 18, 1975

Free Joint Conference Committee Report No. 1 On House Bill No. 195

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 195, met March 17 and 18, 1975, and considered:

Senate Committee on Natural Resources and Fish and Game Amendments dated March 4, 1975,

Senate Committee of the Whole Amendments dated March 6, 1975, and recommend as follows:

Having had under consideration Senate Committee on Natural Resources and Fish and Game Amendments dated March 4, 1975,

That the House accede to Amendments Nos. 1 and 2,

And further that House Bill No. 195, reference bill (corrected 3/ 75) be amended as follows:

1. Amend page 2, section 1, subsection (1), lines 13 and 14.

Following: "candlepower"

Strike: "or other artificial light"

Insert: "attached to or cast from a motorized vehicle"

2. Amend page 2, section 1, following line 25, by inserting a new subsection to read as follows:

"(2) Provided the provisions of this section shall not apply where the headlights of a motor vehicle, operating and proceeding in a normal manner, on any highway or roadway cast a light upon such animal on or adjacent to the highway or roadway, and there is no intent or attempt to locate that animal."

Renumber: subsequent subsections.

Having had under consideration Senate Committee of the Whole Amendments dated March 6, 1975,

That the House accede to Amendments Nos. 1 and 2.

Having further considered House Bill No. 195, the Free Joint Conference Committee recommends:

That House Bill No. 195, reference bill (corrected $\frac{3}{8}$ 75), be amended as follows:

1. Amend the title, page 1, lines 6 and 7.

Following: "the"

Strike: "use of artificial lights"

Insert: "casting of spotlights"

2. Amend the title, page 1, line 7.

Following: "candlepower"

Insert: "attached to a motorized vehicle"

And that House Bill No. 195, as so amended, be concurred in.

FOR THE SENATE:

JERGESON, Chairman

ROSKIE

MANLEY

FOR THE HOUSE:

STAIGMILLER, Chairman

R. BAETH

KVAALEN

Report adopted.

March 18, 1975

Joint Conference Committee Report
On House Bill No. 418

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 418, met March 18, 1975, and considered:

Senate Committee on Labor and Employment Relations Amendments dated March 5, 1975, and

Senate Committee of the Whole Amendments dated March 7, 1975, and recommend as follows:

Having had under consideration Senate Committee on Labor and Employment Relations Amendments dated March 5, 1975,

That the House accede to Amendments Nos. 1 and 2, and

Having had under consideration Senate Committee of the Whole Amendments dated March 7, 1975,

That the Senate recede from Amendment No. 1,

And further that House Bill No. 418, reference copy, be amended as follows:

1. Amend page 2, section 1, subsection (2), line 6.

Strike: "or have an inspection"

And further that the House accede to Amendment No. 2,

And that House Bill No. 418, as so amended, be concurred in.

FOR THE SENATE:

LEE, Chairman

R. SMITH

OLSON

FOR THE HOUSE:

MULAR, Chairman

KIMBLE

BABCOCK

Report adopted.

MESSAGE FROM THE GOVERNOR

March 18, 1975

Honorable W. Gordon McOmber
President of the Senate
c/o State Capitol

Honorable Pat McKittrick
Speaker of the House of Representatives
c/o State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor of the State of Montana, I hereby return Senate Bill 108, "An act to disallow consideration of advertising expenses and contributions in setting wage charge by public utilities," without my signature and recommend the following amendments.

The amendments I am proposing will not substantially affect the provisions of Senate Bill 108 as enacted. The prohibition against deducting advertising, donations and contributions from income or capital assets in setting or regulating utility rates remains in effect. However, I do believe that the following amendments should be added.

The first amendment to Senate Bill 108 that I am proposing is simply a technical change. The legislation refers to "this act". Since the legislation is embodied in one section of the law, I believe that this reference should be changed to "this section".

The second amendment that I have proposed is designed to deal with the special problems that Senate Bill 108 creates for communications public utilities. Basically, the new language that I have proposed at the end of Senate Bill 108 will permit the Public Service Commission, if it so desires, to treat advertising designed to educate the handicapped and the public at large as to the availability of special equipment and services as expenses deductible from income or from capital assets in setting or regulating rates. For example, I believe that the communications public utilities should be permitted to advise people with hearing problems that special equipment is available to assist them in utilizing communications systems. Furthermore, services that are designed to educate the public concerning emergency phone numbers and how to use communications systems should not be arbitrarily disallowed as expenses deductible from income or capital assets.

In closing, I must emphasize that the Public Service Commission currently has the authority to disallow advertising as an expense deductible from income or from capital assets in setting rates under the provisions of the existing law. So long as the Public Service Commission retains that power, I am confident that the Commission can adequately assess the advisability of permitting the advertising authorized for communications public utilities to be deducted from income or from capital assets in setting or regulating rates.

I thank you for your careful consideration of this matter.

Sincerely,

THOMAS L. JUDGE
Governor

1. Amend page 1, section 1, line 19.
Following: "This"

Strike: "act"

Insert: "section"

2. Amend page 1, section 1, line 23.

Following: ","

Insert: "Furthermore, for communications public utilities, the provisions of this section shall not apply to advertising which relates to special equipment that is available to aid the handicapped or to special services that are designed to protect the public health, welfare and safety or promote more efficient use of a communications system."

MESSAGES FROM THE OTHER HOUSE

March 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 116, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 116.

The President appointed the following members:

Senator Greely, Chairman

Senator Warden

Senator Mathers

Respectfully yours,

John N. Hanson

Secretary of the Senate

March 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 5, introduced by Stoltz, Yardley

House Bill No. 229, introduced by Jim Moore, Finley

House Bill No. 283, introduced by Wm. Baeth, Kendall, Jacobsen

House Bill No. 293, introduced by Johnson

House Bill No. 448, introduced by Huennekens

House Bill No. 458, introduced by Gilligan, Johnson, et al

House Bill No. 537, introduced by Quilici, Lynch, et al

House Bill No. 568, introduced by Fishbaugh

House Bill No. 570, introduced by Wm. Baeth, Brand, et al

House Bill No. 598, introduced by Travis

House Bill No. 631, introduced by Day, South, et al

Respectfully yours,

John N. Hanson

Secretary of the Senate

March 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 451, introduced by Johnson, McKittrick

House Bill No. 531, introduced by Meloy

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to Senate Bill No. 55, introduced by Himsl, Olson, Mathers, et al, were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day on Committee report, not concurred in, reports adopted, and the said bills and joint resolution are herewith returned to the House:

House Bill No. 161, introduced by Kimble, Bradley, et al

House Bill No. 223, introduced by Brand, Menahan, et al

House Bill No. 430, introduced by Kanduch

House Bill No. 483, introduced by Dussault, Lockrem

House Bill No. 640, introduced by Murphy, Lester, et al

House Joint Resolution No. 16, introduced by Travis

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on third reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 627

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that Senate Bill No. 244 be placed on Third Reading this day in accordance with Joint Rule 6-28.

Motion carried.

Bradley moved that Senate Bill No. 332 be rereferred from the Committee on Natural Resources to the Committee on Rules.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 14 was concurred in by the following vote:

Ayes: C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 88.

Noes: Aageson, Asher, Casey, Helmbrecht, Mercer, Sivertsen, Wyrick. Total 7.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Kimble, Sloan. Total 4.

Senate Bill No. 39 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Ellis, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 77.

Noes: Asher, Babcock, Barrett, Casey, Ellerd, Ellison, Fabrega, Guthrie, Hubing, Kropp, Lockrem, Jack Moore, Seifert, Smith, Underdal, Wood, Wyrick. Total 17.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Kelly, Kimble, Sloan. Total 5.

Senate Bill No. 51 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Ellis, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Shelden, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 66.

Noes: J. Anderson, Asher, R. Baeth, Barrett, Casey, Ellerd, Ellison, Fabrega, Guthrie, Gwynn, Hager, Hubing, Kropp, Kvaalen, Lockrem, Magone, Marks, Mercer, Schye, Scully, Seifert, Sivertsen, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 27.

Excused: Hageman. Total 1.

Absent or not voting: Babcock, Dussault, Finley, Kimble, Rasmussen, Sloan. Total 6.

Senate Bill No. 88 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Wood. Total 1.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Kimble, Sloan. Total 4.

Senate Bill No. 138 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Holmes, Kimble, Sloan, Travis. Total 6.

Senate Bill No. 162 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Holmes, Kimble, Sloan. Total 5.

Senate Bill No. 174 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Kimble, Sloan. Total 4.

Senate Bill No. 210 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell,

Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Kimble, Sloan. Total 4.

Senate Bill No. 292 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Gerke, Gould, Guthrie, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Johnston, Kanduch, Kelly, Kendall, Kropp, Kvaalen, Lien, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, O'Connell, Palmer, Quilici, Robbins, Schye, Scully, Seifert, Smith, Stoltz, Teague, Travis, Underdal, Williams, Wood, Wyrick, Mr. Speaker. Total 63.

Noes: W. Baeth, Bardanouve, Bradley, Brand, Driscoll, Fleming, Gilligan, Gunderson, Gwynn, Harper, Holmes, Jacobsen, Johnson, Kemmis, Kummerfeldt, Lester, Luebeck, McFadden, Meloy, James Moore, Murphy, Rasmussen, Richards, Shelden, Sivertsen, South, Staigmiller, Tropila, Vincent, Wolfe, Yardley. Total 31.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Kimble, Sloan, Thomas. Total 5.

Senate Bill No. 321 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 90.

Noes: Gwynn, Travis, Yardley. Total 3.

Excused: Hageman. Total 1.

Absent or not voting: Bardanouve, Dussault, Finley, Gunderson, Kimble, Sloan. Total 6.

Senate Bill No. 359 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp,

Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 87.

Noes: Babcock, Guthrie, Lockrem, Mercer, Seifert, Smith, Wyrick. Total 7.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Kimble, Sloan, Wood. Total 5.

Senate Bill No. 385 was concurred in by the following vote:

Ayes: J. Anderson, R. Baeth, W. Baeth, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Fagg, Federico, Fleming, Gerke, Gilligan, Gunderson, Halvorson, Harper, Helmbrecht, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kummerfeldt, Lester, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Shelden, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 50.

Noes: Aageson, C.R. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Conroy, Day, Ellerd, Ellis, Ellison, Fabrega, Fishbaugh, Gould, Guthrie, Gwynn, Hager, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kendall, Kropp, Kvaalen, Lien, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Schye, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Tropila, Underdal, Wood, Wyrick. Total 44.

Excused: Hageman. Total 1.

Absent or not voting: Bardanouve, Finley, Kimble, Rasmussen, Sloan. Total 5.

Senate Joint Resolution No. 24 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: Fabrega, Guthrie, Hager, Lockrem, Mercer, Jack Moore, Seifert, Smith, Underdal, Wyrick. Total 10.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Kimble, Sivertsen, Sloan. Total 5.

Senate Bill No. 244 was not concurred in by the following vote:

Ayes: Aageson, Asher, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Ellerd, Ellison, Fabrega, Hager, Huennekens, Jacobsen,

Johnson, Johnston, Kanduch, Kelly, Kropp, Lien, Lockrem, Lund, Lynch, McFadden, Marks, Menahan, Mercer, Jack Moore, Murphy, Schye, Scully, Seifert, Stoltz, Teague, Underdal, Vincent, Wolfe, Wood. Total 39.

Noes: C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Dassinger, Driscoll, Ellis, Fagg, Federico, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Magone, Manuel, Meloy, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Sheldon, Sivertsen, Smith, South, Staigmiller, Travis, Tropila, Williams, Wyrick, Yardley, Mr. Speaker. Total 54.

Excused: Hageman. Total 1.

Absent or not voting: Dussault, Finley, Fleming, Kimble, Sloan, Thomas. Total 6.

Driscoll moved that the House adjourn until 12:00 p.m., March 19, 1975.

Motion carried.

House adjourned.

PAT MCKITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTIETH LEGISLATIVE DAY

Helena, Montana
March 19, 1975

House Chambers
Capitol Building

House convened at 12:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Quilici, Hageman, and Sloan, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

March 19, 1975

Mr. Edwin A. Smith
Chief Clerk of the House of Representatives

Dear Mr. Smith:

I have this day appointed the following Representatives to serve on the Environmental Quality Council:

Gary N. Kimble
William M. Day
Thomas O. Hager
Tom Rasmussen

Sincerely,

Pat McKittrick
Speaker of the House

The Speaker appointed the following joint conference committee to meet with a like committee from the Senate to confer on House Amendments to Senate Bill No. 116: Gerke, Chairman, O'Connell and Asher.

REPORTS OF STANDING COMMITTEES

March 19, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly engrossed: House Bill No. 289.

QUILICI, Chairman

March 19, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 18, 1975: House Joint Resolutions Nos. 3, 7, 27, House Bills Nos. 102, 118, 178, 241, 258, 304, 352, 375, 381, 397, 484, 497, 498, 499, 500, 661, Senate Bill No. 283, Senate Joint Resolutions Nos. 7, 27.

Edwin A. Smith, Chief Clerk
House of Representatives

March 18, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 277, respectfully report as follows: That Senate Bill No. 277 be amended in the Third Reading copy as follows:

1. Amend page 2, section 1, line 8.

Following: "upon"

Insert: "fulfillment of"

2. Amend page 2, section 1, line 9.

Following: "consent"

Strike: "cannot"

Insert: "may not"

3. Amend page 3, following line 14.

Insert: two new sections, section 3 and section 4, and renumber the subsequent section.

"Section 3. There is a new R.C.M. section that reads as follows:

Arbitration board — costs. (1) If the parties fail to agree on the conditions set forth in section 81-902, an arbitration board may be convened at the request of either party to settle the dispute. All parties may be subject to the decision of the arbitration board. The decision of the arbitration board is binding on only those parties who agree in writing, prior to the appointment of the arbitration board, that the decision will be binding upon them. Notwithstanding title 93, chapter 201, the arbitration board shall consist of three (3) members: one (1) appointed by the surface owner and one (1) appointed by the lessee; the third member shall be a resident of the county or counties in which the land in question is located and upon whom the first two (2) members agree. This board shall sit for only that period of time necessary to settle the dispute before it.

(2) Cost of the arbitration panel, computed as for jurors' fees under section 25-401, shall be borne by the contesting party or parties; all other parties shall bear their own costs.

Section 4. There is a new R.C.M. section that reads as follows:

Application to existing leases. The provisions of this act shall not apply to any state lands presently being leased unless such lease is renewed after the effective date of this act; provided, however, that the surface owner of the land which is under lease as of the effective date of this act may bring himself within the provisions of this act by notifying the state's lessee and the state commissioner of lands in writing by certified mail; the lessee and the surface owner shall immediately begin negotiations to settle the terms of the consent required by section 81-902; if agreement upon the terms of the same cannot be reached, then the parties may settle their differences through the arbitration procedure provided in section 3 of this act."

And as amended, be concurred in.

BRADLEY, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 18, 1975

The Honorable Pat McKittrick
Speaker of the House

State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 124, 163, 213, 249, 288, 343, 482, 487 and 574.

Sincerely,

THOMAS L. JUDGE
Governor

March 18, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bill No. 36.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Meloy moved that consideration of Senate Bill No. 31 be passed this legislative day.

Motion carried.

Lockrem moved that Senate Bill No. 125 be taken from the Committee on Judiciary and be placed on Second Reading.

Motion failed.

Driscoll moved that Senate Bill No. 54 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Menahan moved that Senate Bill No. 378 be taken from Second Reading and be rereferred to the Committee on Public Health, Welfare and Safety.

Motion carried.

Driscoll moved that consideration of Senate Bill No. 275 be passed this legislative day.

Motion carried.

REPORTS OF STANDING COMMITTEES

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 393 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi,

Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Rasmussen, Robbins, Scully, Shelden, Smith, South, Staigmler, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 71.

Noes: Bradley, Holmes, Richards. Total 3.

Excused: Hageman, Quilici. Total 2.

Absent or not voting: Ageson, Asher, Babcock, Dussault, Ellison, Fagg, Gerke, Gunderson, Guthrie, Hager, Johnson, Kelly, Kropp, Lund, Marks, Jack Moore, Palmer, Schye, Seifert, Sivertsen, Sloan, Teague, Thomas, Travis. Total 24.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 19, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 48 be concurred in. (72-5)

That Senate Bill No. 61 be concurred in. (76-6)

That Senate Bill No. 76 be amended as follows:

1. Amend page 18, section 10, subsection (5), lines 2, 3, and 4.

Following: "receive"

Strike: "the same salary as a state district court judge and shall receive the same salary increases awarded such judges"

Insert: "an annual salary of eighteen thousand five hundred dollars (\$18,500) and the salary commission may recommend salary increases to the legislature" (59-31)

And as amended, be concurred in. (67-23)

That Senate Bill No. 135 be concurred in. (80-0)

Sloan present at this time.

That Senate Bill No. 161 be concurred in. (88-2)

That Senate Bill No. 189 be concurred in. (86-7)

Jack Moore replaces Lockrem in the Chair.

That Senate Bill No. 202 be passed for the day.

That Senate Bill No. 217 be concurred in. (83-0)

That Senate Bill No. 227 be passed for the day.

That Senate Bill No. 245 be concurred in. (79-1)

Yardley excused at this time.

Lockrem resumes the Chair.

That Senate Bill No. 246 be not concurred in. (48-34)

That Senate Bill No. 255 be concurred in. (75-4)

That Senate Bill No. 265 be passed for the day.

Thomas excused at this time.

That Senate Bill No. 268 be concurred in. (67-14)

That Senate Bill No. 304 be concurred in. (82-0)

That Senate Bill No. 312 be concurred in. (68-8)

That Senate Bill No. 323 be concurred in. (72-13)

Asher excused at this time.

That Senate Bill No. 329 be concurred in. (64-10)

That Senate Bill No. 330 be concurred in. (60-12)

That Senate Bill No. 367 be amended as follows:

1. Amend title, page 1, line 5.

Following: "A"

Strike: "twenty"

Reinsert: "thirty"

2. Amend title, page 1, line 5.

Following: "dollar"

Strike: "(\$20)"

Reinsert: "(\$30)"

3. Amend title, page 1, lines 6 and 7.

Following: "establishments"

Reinsert: "and participation in the fee by local boards of health" (45-35)

And be further amended:

4. Amend page 1, section 1, subsection (2), line 21.

Following: "[(\$10)]"

Strike: "twenty"

Reinsert: "thirty"

5. Amend page 1, section 1, subsection (2), line 21.

Following: "dollars"

Strike: "(\$20)"

Reinsert: "(\$30)"

6. Amend pages 1 and 2.

Reinsert: subsections (3) and (4) in their entirety. (61-23)

And as amended, be concurred in. (64-21)

(Material in brackets denotes cancelled type.)

Gerke excused at this time.

That the Committee rise and report.

LOCKREM, Chairman

Bradley moved that Senate Bill No. 367 be segregated from the Committee of the Whole report.

Motion carried.

Kimble moved that Senate Bill No. 246 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 19, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the 44th Session at the beginning of business March 17, 1975:

Ann Lucas	Page
Laura Nordlund	Page
Roland Butzlaff	Page
Gordon Callant	Page
Joseph Casey	Page
Greg Daly	Page
Rich Gould	Page
Leona Duffy	Page
Rosalie Ellis	Page

At the beginning of business March 19, 1975, the following also be employed:

Laura Deily	Page
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At the close of business March 18, 1975, the following also be terminated:

Russel Halsey	Page
Farol Pasma	Page
Tempi Cadby	Page

LYNCH, Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 271, respectfully report as follows: That House Bill No. 271 be amended in the introduced bill as follows:

1. Amend page 1, line 9 through page 11, line 1.

Following: the enacting clause.

Strike: the remainder of the bill in its entirety.

Insert: "Section 1. For the purposes of this act, unless otherwise stated:

(1) 'University system unit' means the board of regents, office of the commissioner of higher education, the university of Montana at Missoula, Montana state university at Bozeman, Montana college of mineral science and technology at Butte, eastern Montana college at Billings, northern Montana college at Havre, western Montana college at Dillon, the agricultural station with central offices at Bozeman, the cooperative extension service with central offices at Bozeman, or the bureau of mines and geology with central offices at Butte.

(2) 'Program' means a segment of a university system unit that includes a combination of planned efforts to provide a service.

(3) 'Approved budget amendment' means approval by the board of regents of a request to:

(a) obtain financing for new or expanded programs from funds which were not available for consideration by the legislature but which have become available from a source other than the state's general fund; or

(b) transfer not more than ten (10) percent of any single university system unit's appropriations, including general fund appropriation between units and transfer appropriations between programs within a university system unit; or

(c) expend remaining balances of the first fiscal year of the biennial appropriations, including general fund appropriations, during the second fiscal year of the biennium.

(4) Copies of budget amendments approved by the board of regents shall be forwarded to the office of the budget director.

Section 2. The appropriations contained in this act are intended to provide only necessary and ordinary expenditures for the year for which the appropriations are made. The unexpended balance of any appropriation shall revert to the fund from which it was appropriated. In case of necessity, an appropriation not expended during the first fiscal year of the biennium may be expended during the second fiscal year by approved budget amendment.

Section 3. The appropriations in this act are intended to provide for all expenditures for:

(1) personal services;

(2) all other ordinary and necessary expenditures for the operation of the university system unit and the program to which the appropriation applies;

(3) repairs and maintenance, other than major alterations of existing buildings; and

(4) the purchase or replacement of capital items other than expenditures for the construction, improvement, or furnishing of buildings or purchase of buildings or land unless specifically authorized.

Section 4. Financing for new or expanded programs from sources other than general fund may be made available by approved budget amendment.

Section 5. Operational plans for each new year by university system unit and program shall be approved by the board of regents and be available for review at the office of the commissioner of higher education on or before July 1 of that fiscal year. Operational plans shall reflect the position and salary of all officers and employees by program. Copies of operational plans and subsequent changes shall be submitted to the office of the budget director.

Section 6. No new programs may be established and no existing programs may be expanded beyond the scope of the programs approved by the legislature in the 1977 biennial budget, unless the new programs or the program expansions and their method of financing is approved by the board of regents.

Section 7. Transfers of appropriated funds between programs and university system units may be made only by approved budget amendment.

Section 8. If the operation of a university system unit is financed by an appropriation or appropriations from the general fund as well as by appropriations from other sources, the funds provided by appropriations from the general fund shall be decreased by the amount that the funds received from other sources exceeds the amount from other sources appropriated by the legislature in the 1977 biennial budget, provided that:

(1) the decrease does not jeopardize the receipt of the funds to be received from other sources; and

(2) this section shall not apply to any excess funds if they are to be expended for new or expanded programs approved by the board of regents. Information concerning such new or expanded programs must be forwarded to the office of the budget director.

Section 9. When a university system unit receives federal funds as a reimbursement for the cost of administering a federal program and this cost was financed by a general fund appropriation, the cost must be transferred from the general fund to the federal and private revenue fund.

Section 10. The governor may reduce any appropriation in this act by not more than fifteen percent (15%).

Section 11. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Section 12. The following moneys are appropriated to the board of regents for the respective university system units for the biennium ending June 30, 1977.

	For Fiscal Year Ending 6/30/76	For Fiscal Year Ending 6/30/77
COMMISSIONER OF HIGHER EDUCATION		
Administration	190,159	201,891
Student services		
Administrative	9,159	9,951
WICHE - Administrative	28,000	28,000
WICHE - Program Assistance	597,030	636,200
NDEA	30,000	30,000
WAMI		250,000
University of Minnesota		
Rural dentistry	78,000	108,000
Federal incentive matching money	57,730	57,730
Community Colleges		
Flathead Valley Community College	631,216	681,111

Dawson Community College	318,220	343,437
Miles City Community College	325,642	350,595
Total	2,265,271	2,696,915
From the general fund	2,204,463	2,634,336
From the earmarked revenue fund		
02106 University millage	11,570	11,570
04090 Commissioner of Higher Education FPRA	49,238	51,009
Total	2,265,271	2,696,915

UNIVERSITY OF MONTANA

Instruction	10,114,000	10,783,084
Research	176,768	192,845
Public service	131,718	143,728
Academic support	1,737,215	1,864,412
Student services	886,183	967,320
Institutional support	1,624,691	2,122,067
Operation and maintenance of plant	1,941,316	2,122,067
Forest Experiment Station	241,591	265,750
Scholarships and Fellowships	525,000	525,000
Malmstrom Air Force Base Instruction	298,085	314,196
Total	17,676,567	18,953,363
From the general fund	9,971,722	11,094,265
From the earmarked revenue fund		
02106 University millage	3,047,110	3,170,950
02650 UM student fee ERA	3,888,375	3,881,820
From the federal and private revenue fund		
04308 UM interest and income	75,000	75,000
04515 UM federal program FPRA	348,085	364,196
Social Rehabilitation		

Services - transfer	346,275	367,132
Total	17,676,567	18,953,363

MONTANA STATE UNIVERSITY

Instruction	9,732,339	10,361,202
Research	346,301	377,457
Public service	42,428	46,327
Academic support	1,535,118	1,634,173
Student service	1,081,334	1,181,046
Institutional support	1,467,072	1,600,093
Operation and maintenance of plant	1,685,170	1,839,810
Scholarships and Fellowships	390,000	390,000
WAMI	300,393	236,106
TOTAL	16,580,155	17,666,214

From the general fund	9,330,316	10,296,122
From the earmarked revenue fund		
02106 University millage ERA	2,945,930	3,048,700
02630 MSU student fee ERA	3,787,264	3,794,704
From the federal and private revenue fund		
04302 Morrill interest and income FPRA	150,000	150,000
04401 Merrill-Nelson FPRA	199,920	199,920
Social Rehabilitation Services - transfer	166,725	176,768
TOTAL	16,580,155	17,666,214

MONTANA COLLEGE OF MINERAL
SCIENCE AND TECHNOLOGY

Instruction	1,020,263	1,052,091
Research	24,388	25,789
Academic support	118,898	128,860
Student services	106,777	116,489
Institutional support	304,735	332,612
Operation and maintenance of plant	331,144	362,035

Scholarships and Fellowships	114,402	114,402
Total	2,020,607	2,132,278
From the general fund	1,198,118	1,300,167
From the earmarked revenue fund		
02106 University millage ERA	220,730	212,850
02610 MCMST student fee ERA	601,759	619,261
Total	2,020,607	2,132,278

NORTHERN MONTANA COLLEGE

Instruction	1,258,860	1,343,037
Public service	24,039	26,224
Academic support	293,627	314,031
Student services	145,167	158,405
Institutional support	306,029	334,129
Operation and maintenance of plant	366,016	399,482
Scholarships and Fellowships	57,884	50,936
Total	2,451,622	2,626,244
From the general fund	1,663,657	1,835,622
From the earmarked revenue fund		
02106 University millage ERA	321,910	323,100
02620 NMC student fee ERA	374,201	375,668
From the federal and private revenue fund		
04094 Northern Montana College FPRA	91,854	91,854
TOTAL	16,580,155	17,666,214

MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY

Instruction	1,020,263	1,052,091
Research	24,388	25,789
Academic support	118,898	128,860
Student services	106,777	116,489
Institutional support	304,735	332,612
Operation and maintenance		

of plant	331,144	362,035
Scholarships and Fellowships	114,402	114,402
Total	2,020,607	2,132,278
From the general fund	1,198,118	1,300,167
From the earmarked revenue fund		
02106 University millage ERA	220,730	212,850
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NORTHERN MONTANA COLLEGE

Instruction	1,258,860	1,343,037
Public service	24,039	26,224
Academic support	293,627	314,031
Student services	145,167	158,405
Institutional support	306,029	334,129
Operation and maintenance of plant	366,016	399,482
Scholarships and Fellowships	57,884	50,936
Total	2,451,622	2,626,244
From the general fund	1,663,657	1,835,622
From the earmarked revenue fund		
02106 University millage ERA	321,910	323,100
02620 NMC student fee ERA	374,201	375,668
From the federal and private revenue fund		
04094 Northern Montana College FPRA	91,854	91,854
Total	1,590,652	1,683,276
From the general fund	1,154,377	1,263,362
From the earmarked revenue fund		
02106	201,620	181,200
02660 WMC student fee ERA	234,655	238,714
Total	1,590,652	1,683,276

AGRICULTURAL EXPERIMENT STATION

From the general fund	2,666,434	2,955,504
From the earmarked revenue fund		
02115 Experiment station ERA	555,761	557,706
02115 Experiment station ERA	8,229	7,753
This appropriation is for payment of the contract for deed between Milo C. Roberts and Edith Z. Roberts for the use and benefit of the agriculture experiment station.		
02115 Experiment station ERA		75,000
This appropriation is in tended to continue the provisions of House Bill No. 581, Forty-third Legislature. Any funds remaining from this amount at the end of the fiscal year ending 6/30/76 will be carried forward to the fiscal year ending 6/30/77.		
02580 Experiment station fertilizer	43,088	46,417
From federal and private revenue fund	1,534,309	1,626,012
Total	4,882,821	5,193,392

BUREAU OF MINES AND GEOLOGY

From the general fund	625,569	680,323
From federal and private revenue funds	127,000	140,000
Total	752,569	820,323

COOPERATIVE EXTENSION SERVICE

From the general fund	970,948	1,158,055
From the earmarked revenue fund		

02560 Extension service fertilizer ERA	45,000	47,000
From the revolving fund 07075	102,297	114,114
From federal and private revenue funds	1,667,518	1,612,404
Total	2,785,763	2,931,573

BOARD OF REGENTS

From the earmarked revenue fund		
02106 University millage	16,430	17,430
From the general fund		3,000,000
Total	3,016,430	17,430

The above general fund appropriation is to be distributed to the board of regents for the Montana university system in the 1977 biennial budget.

Section 13. The provisions set forth in this section are limitations on the appropriations made in this act. It is the purpose of the legislature in enacting this bill only to appropriate funds and to restrict and limit by its provisions the amount and conditions under which the appropriations can be expended. Except as otherwise provided in this act, the expenditures of appropriations are hereby contingent upon the board of regents certifying to the budget director that the university system units shall comply completely with the following general and specific provisions:

- (1) All expenditures of funds appropriated by this act for purpose of travel, transportation, and vacation and sick leave are subject to the provisions of law expressed in Title 59, R.C.M. 1947.
- (2) All expenditures of funds appropriated by this act for the purchase of property, materials and supplies are subject to the provisions of law expressed in Title 82, chapter 19, R.C.M. 1947.
- (3) All expenditures of funds appropriated by this act shall be made in accordance with the provisions of section 82-109, R.C.M. 1947, which specifies that expenditures shall be applied against non-general fund moneys before general fund moneys.
- (4) All moneys collected or received by university system units subject to this act from any source whatsoever, including federal grants for research and operations, and any moneys received from a foundation shall be deposited in the state treasury pursuant to the provisions of Title 79, R.C.M. 1947, except that the department of administration may, pursuant to section 79-603, R.C.M. 1947, permit any university system unit subject to this act to retain in its possession moneys that would otherwise be deposited in the state treasury.

(5) By July 1, 1976, all assets, liabilities, balances, receipts and expenditures of each university unit shall be accounted for in a uniform manner under a centralized accounting system which shall be totally consistent with the requirements and guidelines of the "Industry Audit Guide, Audits of Colleges and Universities" of the American Institute of Certified Public Accountants and "College and University Business Administration" prepared by the National Association of College and University Business Officers.

It is the intent of the legislature that duplication of existing accounting systems not occur and that to assure a coordinated state accounting system, the department of administration and budget director assist the board of regents in developing and implementing the centralized system.

In the absence of such certification of compliance, the appropriations in this act are null and void."

And as amended, do pass.

BARDANOUE, Chairman

March 19, 1975

I have examined House Bill No. 116 introduced by me and find the same to be correct.

CASEY

March 19, 1975

I have examined House Bill No. 71 introduced by me and find the same to be correct.

BRADLEY

March 19, 1975

I have examined House Joint Resolution No. 63 introduced by me and find the same to be correct.

RICHARDS

March 19, 1975

I have examined House Joint Resolution No. 13 introduced by me and find the same to be correct.

BENGTSON

March 19, 1975

I have examined House Bill No. 328 introduced by me and find the same to be correct.

PALMER

March 19, 1975

I have examined House Bill No. 308 introduced by me and find the same to be correct.

GUTHRIE

March 19, 1975

I have examined House Bill No. 261 introduced by me and find the same to be correct.

JACK MOORE

March 19, 1975

I have examined House Bill No. 188 introduced by me and find the same to be correct.

JACK MOORE

March 19, 1975

I have examined House Bill No. 355 introduced by me and find the same to be correct.

DUSSAULT

March 19, 1975

I have examined House Bill No. 345 introduced by me and find the same to be correct.

MELOY

March 19, 1975

I have examined House Bill No. 338 introduced by me and find the same to be correct.

J. ANDERSON

March 19, 1975

I have examined House Bill No. 336 introduced by me and find the same to be correct.

MURPHY

March 19, 1975

I have examined House Bill No. 383 introduced by me and find the same to be correct.

MELOY

March 19, 1975

I have examined House Bill No. 365 introduced by me and find the same to be correct.

R. BAETH

March 19, 1975

I have examined House Bill No. 384 introduced by me and find the same to be correct.

SCULLY

March 19, 1975

I have examined House Bill No. 501 introduced by me and find the same to be correct.

LUND

March 19, 1975

I have examined House Bill No. 508 introduced by me and find the same to be correct.

KENDALL

March 19, 1975

I have examined House Bill No. 535 introduced by me and find the same to be correct.

DAY

March 19, 1975

I have examined House Bill No. 33 introduced by me and find the same to be correct.

MURPHY

March 19, 1975

The following bills and resolutions will be signed on adjournment on March 19, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolutions Nos. 13, 63, House Bills Nos. 71, 116, 188, 261, 308, 328, 345, 355, 365, 383, 384, 501, 508, 535, 336, 338.

Edwin A. Smith, Chief Clerk
House of Representatives

March 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly enrolled: House Joint Resolutions Nos. 13, 63, House Bills Nos. 71, 116, 188, 261, 308, 328, 345, 355, 365, 383, 384, 501, 508, 535, 336, 338.

QUILICI, Chairman

March 19, 1975

I have examined House Bill No. 76 introduced by me and find the same to be correct.

KEMMIS

March 19, 1975

I have examined House Bill No. 386 introduced by me and find the same to be correct.

MENAHAN

March 19, 1975

I have examined House Bill No. 388 introduced by me and find the same to be correct.

RASMUSSEN

March 19, 1975

I have examined House Bill No. 399 introduced by me and find the same to be correct.

ROBBINS

March 19, 1975

I have examined House Bill No. 473 introduced by me and find the same to be correct.

HUBING

March 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 33, 386, 76, 388, 399, 473.

JOHNSTON, Vice-Chairman

March 19, 1975

I have examined House Bill No. 293 introduced by me and find the same to be correct.

JOHNSON

March 19, 1975

I have examined House Bill No. 530 introduced by me and find the same to be correct.

GUNDERSON

March 19, 1975

I have examined House Bill No. 618 introduced by me and find the same to be correct.

FLEMING

March 19, 1975

I have examined House Bill No. 536 introduced by me and find the same to be correct.

SOUTH

March 19, 1975

I have examined House Bill No. 448 introduced by me and find the same to be correct.

HUENNEKENS

March 19, 1975

I have examined House Joint Resolution No. 32 introduced by me and find the same to be correct.

KUMMERFELDT

March 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Joint Resolution No. 32, House Bills Nos. 283, 293, 448, 530, 536, 618.

JOHNSTON, Vice-Chairman

March 19, 1975

The following bills and resolution will be signed on adjournment on

March 19, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 32, House Bills Nos. 283, 293, 448, 530, 536, 618.

Edwin A. Smith, Chief Clerk
House of Representatives

March 19, 1975

I have examined House Bill No. 283 introduced by me and find the same to be correct.

W. BAETH

March 19, 1975

The following bills and resolution will be signed on adjournment on March 19, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 7, 114, 145, 146, 147, 160, 257, 301, 340, Senate Joint Resolution No. 15.

Edwin A. Smith, Chief Clerk
House of Representatives

March 19, 1975

The following bills will be signed on adjournment on March 19, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 33, 76, 386, 388, 399, 473.

Edwin A. Smith, Chief Clerk
House of Representatives

March 18, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 370, respectfully report as follows: That Senate Bill No. 370 be amended in the Third Reading copy as follows:

1. Amend page 9, section 3, line 9.

Following: "showing"

Insert: "the length or amount of"

And as amended, be concurred in.

YARDLEY, Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 208, respectfully report as follows: That Senate Bill No. 208 be concurred in.

HALVORSON, Vice-Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 186, respectfully report as follows: That Senate Bill No. 186 be concurred in.

HALVORSON, Vice-Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 305, respectfully report as follows: That Senate Bill No. 305 be concurred in.

HALVORSON, Vice-Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 96, respectfully report as follows: That Senate Bill No. 96 be concurred in.

HALVORSON, Vice-Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 104, respectfully report as follows: That Senate Bill No. 104 be concurred in.

HALVORSON, Vice-Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 179, respectfully report as follows: That Senate Bill No. 179 be concurred in.

HALVORSON, Vice-Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 91, respectfully report as follows: That Senate Bill No. 91 be not concurred in.

HALVORSON, Vice-Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 701, respectfully report as follows: That House Bill No. 701 do not pass.

BARDANOUVE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 do not pass.

BARDANOUVE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 do not pass.

BARDANOUVE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 688, respectfully report as follows: That House Bill No. 688 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 696, respectfully report as follows: That House Bill No. 696 do not pass.

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 556, respectfully report as follows: That House Bill No. 556 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 649, respectfully report as follows: That House Bill No. 649 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 706, respectfully report as follows: That House Bill No. 706 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 668, respectfully report as follows: That House Bill No. 668 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 697, respectfully report as follows: That House Bill No. 697 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 616, respectfully report as follows: That House Bill No. 616 do not pass.

BARDANOUE, Chairman

March 19, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 685, respectfully report as follows: That House Bill No. 685 do not pass.

BARDANOUE, Chairman

Objection raised by Kimble on the adverse committee report on Senate Bill No. 91. Referred to Second Reading.

REPORTS OF SELECT COMMITTEES

March 18, 1975

FREE JOINT CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 202

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 202, met March 18, 1975, and considered Senate Committee on Judiciary Amendments dated March 6, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 through 4,

Having further considered House Bill No. 202, the Free Joint Conference Committee further recommends:

That House Bill No. 202, reference bill, be amended as follows:

1. Amend page 1, section 1, line 23.

Following: "copy"

Insert: "of"

2. Amend page 2, section 1, line 8.

Following: line 8.

Insert: "(3) Notwithstanding any other provision, proceedings for review of a decision by the state tax appeal board by a company under the jurisdiction of the public service commission shall be instituted in the district court of the first judicial district."

And that House Bill No. 202, as so amended, be concurred in.

FOR THE SENATE:

ROBERTS, Chairman
CETRONE
DRAKE

FOR THE HOUSE:

MC KITTRICK, Chairman
KIMBLE
SEIFERT

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 106

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to Senate Bill No. 200 introduced by Roberts, Healy, Blaylock, et al were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion this day, duly carried, requests the return of House Bill No. 161 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolutions were this day read three several times, and passed, title and history agreed to, and the said bills and joint resolutions are herewith returned to the House:

House Bill No. 297, introduced by Lester, Helmbrecht, Day

House Bill No. 306, introduced by Bardanouve

House Bill No. 316, introduced by Gerke, South, et al

House Bill No. 504, introduced by Palmer, Wolfe, et al

House Bill No. 509, introduced by Bengtson, Finley

House Bill No. 527, introduced by Mular, Driscoll, et al

House Bill No. 551, introduced by William Baeth

House Joint Resolution No. 42, introduced by Jim Moore, Kimble

House Joint Resolution No. 55, introduced by Dussault, Huennekens, et al

House Joint Resolution No. 57, introduced by Kimble

House Joint Resolution No. 61, introduced by State Administration Committee

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 326, introduced by Conroy, Mular, et al

House Bill No. 414, introduced by Rasmussen

House Bill No. 652, introduced by Kemmis, Huennekens, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 436, introduced by Kemmis, Johnson, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 110, introduced by Brand, Wm. Baeth

House Bill No. 112, introduced by Brand, Kanduch, et al

House Bill No. 173, introduced by Federico

House Bill No. 228, introduced by Jim Moore, Finley

House Bill No. 303, introduced by Williams, Fagg, et al

House Bill No. 307, introduced by Dassinger

House Bill No. 356, introduced by Dussault, Holmes

House Bill No. 446, introduced by Menahan

House Bill No. 452, introduced by Johnson, McKittrick

House Bill No. 455, introduced by Bardanouve, Lynch

House Bill No. 463, introduced by Jacobsen

House Bill No. 469, introduced by Business and Industry Committee

House Bill No. 481, introduced by Johnson, Gilligan

House Bill No. 512, introduced by Fagg, Lockrem

House Bill No. 565, introduced by Manuel

House Bill No. 678, introduced by Ageson, Gunderson

Respectfully yours,

John N. Hanson
Secretary of the Senate

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 4 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Dassinger, Driscoll, Ellis, Fagg, Federico, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kemmis, Kendall, Kimble, Kvaalen, Lester, Lory, Luebeck, Lynch, Magone, Meloy, Menahan, Mercer, James Moore, Murphy, Palmer, Richards, Schye, Scully, South, Stoltz, Travis, Vincent, Williams, Mr. Speaker. Total 48.

Noes: Ageson, Asher, Babcock, Bertelsen, Brand, Casey, Conroy, Ellerd, Ellison, Fabrega, Fleming, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kropp, Lockrem, Lund, McFadden, Manuel, Marks, Jack Moore, Mular, O'Connell, Rasmussen, Seifert, Sivertsen, Smith, Staigmiller, Teague, Tropila, Underdal, Wood, Wyrick. Total 38.

Paired: Meloy, Aye; Asher, No.

Excused: Gerke, Hageman, Quilici, Thomas, Yardley. Total 5.

Absent or not voting: Bardanouve, Day, Dussault, Kummerfeldt, Lien, Robbins, Shelden, Sloan, Wolfe. Total 9.

Senate Bill No. 38 was concurred in by the following vote:

Ayes: Ageson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan,

Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Scully, Sivertsen, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Mr. Speaker. Total 76.

Noes: C. R. Anderson, J. Anderson, Guthrie, Mercer, Seifert, Smith, Underdal, Wood, Wyrick. Total 9.

Excused: Asher, Gerke, Hageman, Quilici, Thomas, Yardley. Total 6.

Absent or not voting: Bardanouve, Casey, Day, Dussault, Lien, Robbins, Shelden, Sloan, Wolfe. Total 9.

Senate Bill No. 148 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Seifert, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker. Total 85.

Noes: None.

Excused: Asher, Gerke, Hageman, Quilici, Thomas, Yardley. Total 6.

Absent or not voting: Bardanouve, Day, Dussault, Lien, Robbins, Scully, Shelden, Sloan, Wolfe. Total 9.

Senate Bill No. 158 was concurred in by the following vote:

Ayes: W. Baeth, Bardanouve, Bradley, Brand, Dassinger, Ellis, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, Manuel, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Richards, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Yardley, Mr. Speaker. Total 47.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Driscoll, Ellerd, Ellison, Fabrega, Fagg, Guthrie, Gwynn, Hageman, Hager, Hubing, Jacobsen, Johnston, Kendall, Kropp, Kvaalen, Lockrem, Lund, McFadden, Magone, Marks, Mercer, Jack Moore, Rasmussen, Schye, Scully, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 42.

Paired: Huennekens, Teague, Yardley, Ayes; Asher, Driscoll, Hageman, Noes.

Excused: Gerke, Quilici, Sloan, Thomas. Total 4.

Absent or not voting: Day, Dussault, Lien, Meloy, Robbins, Shelden, Wolfe. Total 7.

Senate Bill No. 207 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker. Total 87.

Noes: None.

Excused: Asher, Gerke, Hageman, Quilici, Thomas, Yardley. Total 6.

Absent or not voting: Bengtson, Day, Dussault, Lien, Robbins, Sloan, Wolfe. Total 7.

Senate Bill No. 231 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wood, Mr. Speaker. Total 80.

Noes: Asher, Ellerd, Ellison, Fabrega, Gunderson, Lockrem, Mercer, Wyrick. Total 8.

Paired: Teague, Aye; Asher, No.

Excused: Gerke, Hageman, Quilici, Thomas. Total 4.

Absent or not voting: Day, Dussault, Lien, Robbins, Sloan, Travis, Wolfe, Yardley. Total 8.

Senate Bill No. 237 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Tropila, Underdal, Vincent, Wood, Wyrick, Mr. Speaker. Total 86.

Noes: Smith. Total 1.

Excused: Asher, Gerke, Hageman, Quilici, Thomas, Yardley. Total 6.

Absent or not voting: Day, Dussault, Lien, Robbins, Travis, Williams, Wolfe. Total 7.

Senate Bill No. 243 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Wood, Wyrick, Mr. Speaker. Total 82.

Noes: Brand, Driscoll, Ellison, Schye, Seifert. Total 5.

Excused: Asher, Gerke, Hageman, Quilici, Thomas, Yardley. Total 6.

Absent or not voting: Day, Dussault, Lien, Marks, Robbins, Williams, Wolfe. Total 7.

MOTIONS

Fabrega moved that Senate Bill No. 91 be taken from Second Reading and be rereferred to the Committee on Taxation.

Motion carried.

Lynch moved that Senate Bill No. 265 be taken from Second Reading and be rereferred to the Committee on Labor and Employment Relations.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 5, respectfully report as follows: That Senate Bill No. 5 be amended in the Third Reading bill as follows:

1. Amend page 8, section 11, subsection (c), lines 16 and 17.
Strike: "and did not have the consent of his parents or guardian and judicial approval"
2. Amend page 9, section 11, subsection (a), lines 1 through 5.
Strike: subsection (a) in its entirety.
Insert: new subsections (a), (b) and (c) to read as follows:

"(a) for lack of capacity to consent because of mental incapacity or infirmity, no later than one (1) year after the petitioner obtained knowledge of the described condition;

(b) for lack of capacity to consent because of the influence of alcohol, drugs or other incapacitating substances, no later than one (1) year after the petitioner obtained knowledge of the described condition;

(c) for lack of capacity to consent because of force, duress or fraud, no later than two (2) years after the petitioner obtained knowledge of the described condition;"

Reletter: subsequent subsections.

3. Amend page 9, section 11, present subsection (b), line 7.

Following: "than"

Strike: "one (1) year"

Insert: "four (4) years"

4. Amend page 30, section 32, subsection (5), lines 4 through 6.

Strike: "The court shall not consider conduct of a proposed custodian that does not affect his relationship to the child."

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 223, respectfully report as follows: That Senate Bill No. 223 be amended in the Third Reading bill as follows:

1. Amend title, page 1, lines 20 and 21.

Following: "[tax]"

Strike: "repealing Section 91-4321, R.C.M. 1947; and providing an immediate effective date"

2. Amend page 2, section 1, subsection (2), line 7.

Following: "spouses"

Strike: "shall"

Insert: "may"

3. Amend page 2, section 1, subsection (3), line 10.

Following: "affidavit"

Insert: "in form prescribed by the department of revenue"

4. Amend page 2, section 1, subsection (3), line 11.

Following: "all"

Insert: "interests in"

5. Amend page 2, section 1, subsection (3), line 12.

Following: "property"

Strike: "owned"

Insert: "held"

6. Amend page 2, section 1, subsection (4), lines 13, 14 and 15.

Following: "shall"

Strike: "have an appraiser itemize and appraise all the real and personal property owned"

Insert: "send a list of all properties or interest therein (and the value thereof as of the date of the deceased spouse's death) held"

7. Amend page 2, section 1, subsection (4), lines 15 and 16.

Following: "spouse"

Strike: "and send a copy of that appraisal"

8. Amend page 2, section 1, subsection (5), line 17.

Following: "in"

Insert: "real"

9. Amend page 2, section 1, subsection (5), line 21.

Following: "oaths."

Insert: "Proof of creation of joint tenancies in personal property may be

made by submitting to the department of revenue copies, or other evidence, of any documents which created such joint tenancies."

10. Amend page 3, section 1, subsection (6), line 3.

Following: "title for"

Strike: "the"

Insert: "any real"

11. Amend page 3, section 1, subsection (6), line 3.

Following: "property"

Insert: "involved"

12. Amend page 3, section 1, subsection (6), line 7.

Following: "in the"

Insert: "real"

13. Amend page 3, section 1, subsection (6), line 7.

Following: "spouse."

Insert: "The certificate of no tax due from the department of revenue or the receipt from the county treasurer for taxes paid is sufficient for the surviving spouse to transfer title to any personal property involved."

14. Amend page 3, section 1, subsection (8), lines 14 through 17.

Strike: subsection (8) in its entirety.

15. Amend page 3, sections 3 and 4, lines 21 through 23.

Strike: sections 3 and 4 in their entirety.

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 348, respectfully report as follows: That Senate Bill No. 348 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 97, respectfully report as follows: That Senate Bill No. 97 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 19, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 27, respectfully report as follows: That Senate Bill No. 27 be not concurred in.

HUENNEKENS, Chairman

Driscoll moved that the House adjourn until 11:30 a.m., March 20, 1975.

Motion carried.

SIXTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 20, 1975

House Chambers
Capitol Building

House convened at 11:30 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hageman, Teague, Yardley, Fleming, and Murphy, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixtieth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 20, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on March 19, 1975: Senate Bills Nos. 7, 114, 145, 146, 147, 160, 257, 301, 340, Senate Joint Resolution No. 15.

Edwin A. Smith, Chief Clerk
House of Representatives

March 20, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 19, 1975: House Bills Nos. 33, 76, 386, 388, 399, 473.

Edwin A. Smith, Chief Clerk
House of Representatives

March 20, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on March 19, 1975: House Joint Resolution No. 32, House Bills Nos. 283, 293, 448, 530, 536, 618.

Edwin A. Smith, Chief Clerk
House of Representatives

March 20, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 19, 1975: House Joint Resolutions Nos. 13, 63, House Bills Nos. 71, 116, 188, 261, 308, 328, 345, 355, 365, 383, 384, 501, 508, 535, 336, 338.

Edwin A. Smith, Chief Clerk
House of Representatives

Objection raised by Kummerfeldt on the adverse committee report on House Bill No. 706. Referred to Second Reading.

MOTIONS

Driscoll moved that the House extend the deadline for accepting Senate Amendments to House Bills from the Sixty-third Legislative Day to the Sixty-seventh Legislative Day.

Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 20, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 481 be concurred in. (60-8)

That Senate Bill No. 331 be amended as follows:

1. Amend page 2, section 1, subsection (4), line 15.

Following: "practitioners"

Insert: ", other than pharmacies," (63-0)

And as amended, be concurred in. (77-0)

That Senate Bill No. 352 be concurred in. (76-1)

That Senate Bill No. 354 be concurred in. (78-4)

That Senate Bill No. 355 be concurred in. (76-4)

That Senate Bill No. 363 be concurred in. (74-7)

That Senate Bill No. 364 be concurred in. (77-2)

That Senate Bill No. 386 be passed to the bottom of the board.

Lund excused at this time.

That Senate Bill No. 387 be concurred in. (75-4)

That Senate Joint Resolution No. 22 be concurred in. (71-7)

That Senate Bill No. 315 be concurred in. (59-17)

That Senate Bill No. 300 be amended as follows:

1. Amend page 1, section 2, subsection (1), following line 22.

Insert: "(c) Before a grant-in-aid for any fiscal year may be made to a county under this provision of section 71-311, R.C.M. 1947, any monies credited during that fiscal year to the depletion allowance reserve fund from the sources provided by section 2 (1) (b) of this act shall be transferred to the county poor fund to be used for lawful poor fund expenditures. The amount of the grant-in-aid shall be determined after all sources of income available to the poor fund, including the depletion allowance reserve fund transfers, have been exhausted." (75-0)

And as amended, be concurred in. (85-0)

That Senate Bill No. 203 be amended as follows:

1. Amend page 1, section 1, subsection (2), line 21.
Following: "resources"
Strike: "seashores," (65-11)

And be further amended:

2. Amend page 8, section 6, subsection (2), line 17.
Strike: "five hundred dollars (\$500)"
Insert: "one thousand dollars (\$1,000)" (65-10)

Murphy present at this time.

And as amended, be concurred in. (50-33)

That Senate Bill No. 379 be amended in the Third Reading copy as follows:

1. Amend page 2, section 1, line 16.
Following: "fund."
Strike: "",""
Insert: a new subsection

"(3) A county that requires additional revenues to finance the county road fund at the level of funding provided by this section prior to these 1975 amendments may levy up to five (5) mills in addition to the general road tax authorized under section 32-3601, R.C.M. 1947." (50-25)

Lund present at this time.

And as amended, be concurred in. (56-30)

That Senate Bill No. 235 be placed below Senate Bill No. 227 on the board.

That Senate Bill No. 23 be concurred in. (77-0)

That Senate Bill No. 25 be concurred in. (66-6)

That Senate Bill No. 103 be concurred in. (64-7)

That Senate Bill No. 122 be concurred in. (77-0)

That Senate Bill No. 173 be concurred in. (79-0)

That Senate Bill No. 180 be concurred in. (76-2)

That Senate Bill No. 264 be passed for the day.

Fleming present at this time.

That Senate Bill No. 310 be concurred in. (65-21)

That Senate Bill No. 338 be concurred in. (77-3)

That the Committee rise and report and beg leave to sit again.

SCULLY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 20, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 378, respectfully

report as follows: That Senate Bill No. 378 be amended in the Third Reading bill as follows:

1. Amend the committee report on Public Health, Welfare and Safety amendment dated March 17, 1975.

Strike: the Amendment No. 1 in its entirety.

2. Amend page 4, section 3, subsection (2), lines 7 through 19.

Strike: these lines in their entirety.

And as amended, be concurred in.

MENAHAN, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 316, respectfully report as follows: That Senate Bill No. 316 be amended in the Third Reading bill as follows:

1. Amend page 7, section 2, subsection (1), line 2.

Following: "contemplates"

Insert: "construction of,"

And as amended, be concurred in.

MENAHAN, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 be amended in the introduced bill as follows:

1. Amend title, page 1, line 5.

Following: "bust"

Insert: "or any suitable memorial"

2. Amend page 1, section 2, lines 19 and 20.

Following: "sum of"

Strike: "twenty thousand dollars (\$20,000)"

Insert: "five thousand dollars (\$5,000)"

3. Amend page 1, section 2, line 20.

Following: "bust"

Insert: "or any suitable memorial"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 486, respectfully report as follows: That House Bill No. 486 be amended as follows:

1. Amend page 2, lines 18 through 22.

Strike: section 3 in its entirety.

And as amended, do pass.

BARDANOUE

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 576, respectfully report as follows: That House Bill No. 576 do pass.

BARDANOUE, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 695, respectfully report as follows: That House Bill No. 695 do pass.

BARDANOUE, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 401, respectfully report as follows: That Senate Bill No. 401 be amended in the Third Reading copy as follows:

1. Amend title, page 1, lines 4 through 6.

Following: "act"

Strike: "establishing a permanent joint legislative committee known as the budget review committee;"

2. Amend title, page 1, line 6.

Following: "the"

Insert: "legislative finance"

3. Amend page 1, following line 9.

Strike: the remainder of the bill in its entirety.

Insert: "Section 1. Definitions. In this act:

(1) The definitions contained in the Legislative Finance Act shall apply.

(2) "Budget amendment" means a request submitted through the budget director to the committee for executive branch agencies to expend funds in excess of those appropriated by the legislature.

Section 2. Approval of budget amendments. All budget amendments for state agencies must be submitted through the budget director to the committee. No state agency shall expend in excess of the appropriation except under authority of a budget amendment approved by the committee. The committee shall approve, with or without modification, or disapprove, each proposed budget amendment of any state agency.

Section 3. Legislative fiscal analyst to review budget amendments. The legislative fiscal analyst shall review proposed budget amendments submitted to the committee from the budget director and make recommendations to the committee concerning proposed budget amendments."

And as amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 11, respectfully report as follows: That House Bill No. 11 be amended in the Second Reading copy as follows:

1. Amend title, page 1, line 9.
Following: "hundred"
Strike: "twenty-five dollars (\$225)"
Insert: "dollars"
2. Amend page 2, section 1, line 14.
Following: "hundred"
Strike: "twenty-five dollars (\$225)"
Insert: "dollars (\$200)"
3. Amend page 2, section 1, line 18.
Following: "hundred"
Strike: "twenty-five dollars (\$225)"
Insert: "dollars (\$200)"
4. Amend page 2, section 1, lines 22 and 23.
Following: "hundred"
Strike: "twenty-five dollars (\$225)"
Insert: "dollars (\$200)"
5. Amend page 3, section 2, lines 9 and 10.
Following: "hundred"
Strike: "twenty-five dollars (\$225)"
Insert: "dollars (\$200)"
6. Amend page 3, section 3, line 25.
Strike: "twenty-five dollars (\$225)"
Insert: "dollars (\$200)"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 do not pass.

BARDANOUE, Chairman

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 505, respectfully report as follows: That House Bill No. 505 do not pass.

BARDANOUE, Chairman

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 564, respectfully report as follows: That House Bill No. 564 do not pass.

BARDANOUE, Chairman

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 680, respectfully report as follows: That House Bill No. 680 do not pass.

BARDANOUE, Chairman

Objection raised by Harper on the adverse committee report on House Bill No. 131. Referred to Second Reading.

Objection raised by Huennekens on the adverse committee report on Senate Bill No. 27. Referred to Second Reading.

MESSAGES FROM THE GOVERNOR

March 20, 1975

Honorable Gordon McOmber
President of the Senate
c/o State Capitol

Honorable Pat McKittrick
Speaker of the House of Representatives
c/o State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor of the State of Montana, I hereby veto Senate Bill No. 353, "An act to amend Section 27-612, R.C.M. 1947, to exclude establishments that cut and wrap wild game for their customers from the definition of meat market." I firmly believe that Senate Bill No. 353, if signed into law, would pose serious problems for the Montana consumer, businessman and health officials.

I fail to understand the rationale behind Senate Bill No. 353. Apparently, it is assumed that people who eat wild meat will not suffer from the adverse health effects that may result if meat is cut and wrapped under unsanitary conditions. I cannot accept that conclusion. The provisions of Title 27, chapter 6, were enacted to guarantee the Montana consumer that food processed at meat markets and food plants would be processed under sanitary conditions. Senate Bill No. 353 is inconsistent with the provisions of that act and would only expose the Montana consumer to serious health problems if wild game was cut and wrapped in an unsanitary establishment.

In exercising this veto, I must emphasize that the rules adopted by the Department of Health and Environmental Sciences to implement Title 27, chapter 6, do not preclude the licensing of facilities that operate on a seasonal basis to cut and wrap only wild meat. In fact, several such establishments have been licensed. Because these establishments only cut and wrap wild meat, they do not have to comply with the stricter United States Department of Agriculture standards for establishments that cut beef, lamb, pork and other non-game meat. Therefore, I see no reason why establishments that cut and wrap only wild game should not have to comply with state standards as a minimum requirement.

I also veto Senate Bill No. 353 because of the adverse impact this legislation would have on those meat markets and meat processors who are forced to comply with the sanitary provisions of the food establishment act. Senate Bill No. 353 excludes those persons who operate an establishment where only wild game is cut and wrapped from compliance with Montana's health and sanitation laws. These exempted establishments could then charge customers less than a legitimate operator who must

maintain certain minimum health standards and take business away from those markets where both domestic and wild meat is prepared under strict sanitary conditions. I believe that Senate Bill No. 353 would give these wild game processors an unfair advantage and actually penalize those meat processors who are complying with the law.

I thank you for your careful consideration of this matter.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Driscoll moved that the rules be temporarily suspended so that Senate Amendments to House Bill No. 481 may be placed on Third Reading this day.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Objection raised by Marks on the adverse committee report on House Bill No. 680. Referred to Second Reading.

March 20, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 333, respectfully report as follows: That Senate Bill No. 333 be amended in the Third Reading copy as follows:

1. Amend title, page 1, line 5.

Following: "government"

Strike: "by the legislative auditor"

Insert: ";creating a legislative finance committee specifying its powers and duties; creating the office of legislative fiscal analyst and specifying duties"

2. Amend page 1, following line 9.

Strike: the remainder of the bill in its entirety.

Insert: "Section 1. Title and purpose of act. This act may be cited as 'The Legislative Finance Act'. Because the legislature is responsible for appropriating public funds, it must provide for fiscal analysis of state government to accumulate, compile, analyze, and furnish such information bearing upon the financial matters of the state that is relevant to issues of policy and questions of statewide importance.

Section 2. Definitions. In this act:

(1) 'State agency' means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other administrative unit of state government that spends or encumbers public moneys by virtue of an appropriation from the legislature, or that handles money on behalf of the state, or that holds any trust or agency moneys from any source.

(2) 'Committee' means the legislative finance committee created by this act.

(3) 'Budget director' means the budget director appointed pursuant to section 79-1012, R.C.M. 1947.

Section 3. Legislative finance committee and office of legislative fiscal analyst created. There is created a legislative finance committee which shall be a permanent joint committee of the legislature. There is created the office of legislative fiscal analyst. The legislative fiscal analyst shall direct the office in carrying out the provisions of this act.

Section 4. Legislative finance committee—appointment and term of members—officers. The legislative finance committee consists of four (4) members of the senate finance and claims committee and four (4) members of the house of representatives appropriations committee appointed before the end of the first regular session of the biennium by the respective chairmen of the respective committees. No more than two (2) of the appointees of each house may be members of the same political party.

A vacancy on the committee occurring when the legislature is not in session shall be filled by the selection of a member of the appropriate political party and appropriate committee as provided in this section by the remaining members of the committee to complete the unexpired term. Appointments are for two (2) years and a member of the committee shall serve until his term of office as a legislator ends or until his successor is appointed, whichever occurs first. The committee shall elect one of its members as chairman and such other officers as it considers necessary. Members of the committee shall be reimbursed for expenses and paid compensation as provided by law for interim standing committees.

Section 5. Powers and duties of the committee. The committee may:

- (1) Organize, adopt rules to govern its proceedings, and meet as often as necessary, upon the call of the chairman, to advise and consult with the legislative fiscal analyst;

- (2) employ the legislative fiscal analyst who shall serve at the pleasure of and be responsible to the committee, and the committee shall set his salary;

- (3) exercise the investigatory powers of a standing committee under Title 43, chapter 4, R.C.M. 1947.

Section 6. Legislative fiscal analyst's duties. The legislative fiscal analyst shall:

- (1) provide for fiscal analysis of state government and accumulate, compile, analyze, and furnish such information bearing upon the financial matters of the state that is relevant to issues of policy and questions of statewide importance, including, but not limited to, investigation and study of the possibilities of effecting economy and efficiency in state government;

- (2) estimate revenue from existing and proposed taxes;

- (3) analyze the executive budget and budget requests of selected state agencies and institutions, including proposals for the construction of capital improvements;

- (4) make the reports and recommendations he deems desirable to the legislature and make reports and recommendations as requested by the legislative finance committee and the legislature; and

- (5) assist committees of the legislature, and individual legislators, in compiling and analyzing financial information.

Section 7. Fiscal analysis information from state agencies. The legislative fiscal analyst has the authority to investigate and examine into the costs of state government activities and may examine the records, books, and files of any state agency, including confidential records of executive branch agencies. Every state agency shall furnish the legislative fiscal analyst with copies of all budget requests, at the time of submission to the budget director as provided by law, and if requested, all underlying and supporting documentation. In the year preceding each legislative session, the budget director shall furnish the legislative fiscal analyst on a confidential basis:

- (1) by December 1, a copy of the documents which reflect the anticipated receipts and other means of financing the budget for each fiscal year of the ensuing biennium; and,
- (2) by December 1, a preliminary budget which shall meet the statutory requirements for submission of the budget to the legislature; and,
- (3) by December 15, all amendments to the preliminary budget.

Section 8. Appointment of fiscal analysis employees and consultants. The legislative fiscal analyst may employ, fix the salaries and define the duties of such staff and consultants as may be necessary, within the limits of his appropriation.

Section 9. Funds transferred. Any unexpended funds appropriated by House Bill No. 1128, Session Laws of 1974, and funds appropriated to the 'Fiscal Analysis Program' in House Bill No. 286, Session Laws of 1975, are hereby transferred to the office of the legislative fiscal analyst to carry out the purposes of this act.

Section 10. Repealer. Sections 43-1101 through 43-1108, R.C.M. 1947, are repealed.

Section 11. Effective date. This act is effective on its passage and approval."

And as amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

MOTIONS

Kummerfeldt moved to withdraw his objection to the adverse committee report on House Bill No. 706.

Motion carried.

Lester moved that consideration of Senate Bill No. 227 be passed for the day.

Motion carried.

Kimble moved that Senate Bill No. 265 be rereferred from the Committee on Labor and Employment Relations to Second Reading.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 20, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 374 be concurred in. (63-7)

James Moore replaces Scully in the Chair.

Scully resumes the Chair.

That Senate Bill No. 402 be not concurred in. (64-22)

That Senate Bill No. 120 be concurred in. (79-0)

That Senate Bill No. 140 be concurred in. (73-10)

That Senate Bill No. 31 be passed for the day.

That Senate Bill No. 202 be amended as follows:

1. Amend page 1, line 18.

Following: "election involved"

Strike: ", "

Insert: ", unless an issue involving such voting record is raised within the 15 days next preceding such election, and in that event a notice sufficient to afford the candidate an opportunity to respond before such election is adequate."

2. Amend page 3, line 5.

Following: "act, the"

Insert: "certified" (64-16)

And be further amended:

3. Amend pages 2 and 3.

Strike: section 4 in its entirety.

Renumber: subsequent section. (41-39)

And as amended, be not concurred in. (61-16)

That Senate Bill No. 235 be amended as follows:

1. Amend the House Committee on B & I Amendment No. 1, midway through the amendment.

Following: "less than"

Strike: "fifty thousand dollars (\$50,000), fifteen percent (15%) on loans in excess of fifty thousand dollars (\$50,000) and not exceeding"

Should read: "Parties may agree in writing for payment of any rate of interest not exceeding the rate of twelve and one-half percent (12-½%) per annum on loans less than one million dollars (\$1,000,000), and as the parties may designate on loans in excess of one million dollars (\$1,000,000) and such interest shall be allowed, according to the terms of the agreement, until the entry of judgement.

Section 2. This act is effective on its passage and approval." (69-26)

And be further amended:

2. Amend the Committee of the Whole amendment number 1.

Following: "loans less than"

Strike: "one million (\$1,000,000)"

Insert: "five hundred thousand (\$500,000)"

3. Amend the Committee of the Whole Amendment No. 1.

Following: "in excess of"

Strike: "one million dollars (\$1,000,000)"

Insert: "five hundred thousand (\$500,000)" (79-13)

And as amended, be concurred in. (81-12)

That Senate Bill No. 246 be amended as follows:

1. Amend page 11, section 16, line 24.

Strike: ".,"

Insert: "or minor repair on rental dwellings;" (82-1)

And be further amended:

2. Amend page 4, section 4, subsection (3), line 7.

Following: "systems"

Insert: "other than fireplaces" (74-6)

And as amended, be not concurred in. (49-41)

That Senate Bill No. 275 be passed for the day.

That Senate Bill No. 367 be concurred in. (70-20)

That Senate Bill No. 5 be passed until the Sixty-third Legislative Day.

That the Committee rise and report.

SCULLY, Chairman

Huennekens moved that Senate Bill No. 202 be segregated from the Committee of the Whole report.

Motion failed.

Vincent moved that Senate Bill No. 235 be segregated from the Committee of the Whole report.

Motion failed.

Mular moved that Senate Bill No. 246 be segregated from the Committee of the Whole report and as amended be adopted.

Motion failed.

Thereupon, the report was adopted.

REPORTS OF STANDING COMMITTEES

March 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 131, 695.

QUILICI, Chairman

March 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills No. 576, 680.

QUILICI, Chairman

March 20, 1975

I have examined House Bill No. 537 introduced by me and find the same to be correct.

March 20, 1975

I have examined House Bill No. 458 introduced by me and find the same to be correct.

GILLIGAN

March 20, 1975

I have examined House Bill No. 229 introduced by me and find the same to be correct.

JAMES MOORE

March 20, 1975

The following bills will be signed on adjournment on March 20, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 229, 458, 537, 598, 631.

Edwin A. Smith, Chief Clerk
House of Representatives

March 20, 1975

I have examined House Bill No. 598 introduced by me and find the same to be correct.

TRAVIS

March 20, 1975

I have examined House Bill No. 631 introduced by me and find the same to be correct.

DAY

March 20, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 458, 229, 537, 598, 631.

QUILICI, Chairman

March 20, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 125, respectfully report as follows: That Senate Bill No. 125 be not concurred in.

HUENNEKENS, Chairman

March 20, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 377, respectfully report as follows: That Senate Bill No. 377 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 314, respectfully report as follows: That Senate Bill No. 314 be amended in the Third Reading bill as follows:

1. Amend title, page 1, lines 8, 9 and 10.

Following: "constitution"

Strike: "; in lieu of exclusion from criminal prosecution of otherwise admissible evidence; and to repeal section 95-1806, R.C.M. 1947"

2. Amend page 1, section 2, line 15.

Following: "evidence."

Strike: "(1)"

3. Amend page 1, section 2, subsection (2), lines 22 through 25 and page 2, lines 1 and 2.

Strike: all of subsection (2) in its entirety.

4. Amend page 6, section 15, lines 3 and 4.

Strike: section 15 in its entirety.

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 250, respectfully report as follows: That Senate Bill No. 250 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 6.

Following: "obscenity"

Strike: "and indecent exposure"

2. Amend title, page 1, line 8.

Following: "1947"

Insert: "; and providing an immediate effective date"

3. Amend page 4, section 1, subsection (4), following line 4.

Insert: a new subsection (5) to read as follows:

"(5) No city or municipal ordinance may be adopted which is more restrictive as to obscenity than the provisions of this section and section 94-8-110.1."

4. Amend page 4, section 2, subsection (1), line 12.

Following: "billboard"

Strike: "drive-in movie screen,"

5. Amend page 5, section 2, subsection (2), following line 7.

Insert: a new subsection (3) to read as follows:

"(3) A drive-in movie screen may not display any material prohibited by this section in such manner that the display is easily visible from any public street, sidewalk, thoroughfare or transportation facility."

Re-number: subsequent subsection.

6. Amend page 4, section 2, following line 12.

Insert: a new section 3 to read as follows:

"Section 3. This act is effective upon passage and approval."

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 130, respectfully report as follows: That Senate Bill No. 130 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 192, respectfully report as follows: That Senate Bill No. 192 be concurred in.

HALVORSON, Vice-Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 91, respectfully report as follows: That Senate Bill No. 91 be amended in the Third Reading copy as follows:

1. Amend page 6, section 1, class eight, line 11.

Following: "together"

Strike: "are assessed at"

Insert: "have a market value of"

2. Amend page 6, section 1, class eight, line 12.

Strike: "seventeen thousand five hundred dollars (\$17,500)"

Insert: "thirty thousand dollars (\$30,000)"

3. Amend page 6, section 1, class eight, line 14.

Following: "occupied"

Strike: "by or maintained"

Insert: "for at least ten (10) months per year"

And as amended, be concurred in.

HALVORSON, Vice-Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 87, respectfully report as follows: That Senate Bill No. 87 be amended in the Third Reading copy as follows:

1. Amend page 4, section 5, line 24.

Following: "of"

Strike: "ten (10)"

Insert: "nine (9)"

2. Amend page 5, section 5 (3) (d), lines 15 and 16.

Strike: "(d) the board of health and environmental sciences shall designate one (1) member;"

3. Amend page 5, section 5 (3) (e), line 15.

Strike: "(e)"

Insert: "(d)"

4. Amend page 5, section 5 (3) (f), line 19.

Strike: "(f)"

Insert: "(e)"

5. Amend page 5, section 5 (3) (g), line 21.

Strike: "(g) the board of regents shall designate one (1) member."

Insert: "(f) the governor shall designate one (1) member of a board of trustees of a school district in a coal impact area from a list of four (4) nominees submitted by the Montana school boards association."

6. Amend page 6, section 7 (4), line 21.

Following: "governmental units"

Strike: "to assist such"

Insert: "and state agencies to assist local governmental"

7. Amend page 6, section 7 (4), line 22.

Following: "enabling"

Strike: "it"

Insert: "them"

8. Amend page 6, section 7 (4), line 24.

Following: "a"

Strike: "direct"

9. Amend page 6, section 7 (4), line 25.

Following: "Such"

Strike: "grant"

Insert: "grants"

10. Amend page 7, section 7 (4), line 2.

Following: "development,"

Strike: "and"

Following: "funds"

Insert: ", and (d) availability of matching funds"

11. Amend page 7, section 8 (1), lines 8 and 9.

Following: "least"

Strike: "twenty percent (20%)"

Insert: "ten percent (10%)"

12. Amend page 7, section 8 (1), line 13.

Following: "units"

Insert: "and state agencies"

13. Amend page 7, section 8 (2), line 19.

Following: "request"

Insert: "reasonably"

14. Amend page 7, section 8 (2), line 19.

Following: "an"

Strike: "all over"

Insert: "over all"

15. Amend page 8, section 10, line 9.

Following: "other"

Insert: "local or state"

16. Amend page 8, section 10, line 10.

Following: "unit"

Insert: "or agency"

17. Amend page 8, section 10, line 11.

Following: "a"

Strike: "direct"

18. Amend page 8, section 10, line 19.

Following: "expectations."

Insert: "No state agency may receive grants which exceed five percent (5%) of the money allocated to the board."

19. Amend page 10, following line 18.

Insert: new section 13 as follows:

"Section 13. There is appropriated to the coal board for its expenses and for making grants under section 7 of this act, three-fourths ($\frac{3}{4}$) of the funds in the local impact and education trust fund account for the biennium ending June 30, 1977."

And as amended, be concurred in.

HALVORSON, Vice-Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 86, respectfully report as follows: That Senate Bill No. 86 be amended in the Third Reading copy as follows:

1. Amend in the title, page 1, line 10.

Strike: "intergovernmental relations"

Reinsert: "natural resources and conservation"

2. Amend page 2, section 2 (3), lines 19 and 20.

Following: "[conservation]"

Strike: "intergovernmental relations"

Reinsert: "natural resources and conservation"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

HALVORSON, Vice-Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 395, respectfully report as follows: That Senate Bill No. 395 be amended in the Third Reading bill as follows:

1. Amend the title, page 2, line 2.

Following: "89-884,"

Insert: "89-885,"

2. Amend page 18, following line 11.

Insert: a new section 11 to read as follows and renumber subsequent sections.

"Section 11. Section 89-885, R.C.M. 1947, is amended to read as follows:

'89-885. Criteria for issuance of permit. The department shall issue a permit if:

- (1) there are unappropriated waters in the source of supply;
- (2) the rights of a prior appropriator will not be adversely affected;
- (3) the proposed means of diversion or construction are adequate;
- (4) the proposed use of water is a beneficial use;

(5) the proposed use will not interfere unreasonably with other planned uses or developments for which a permit has been issued or for which water has been reserved;

(6) the proposed use will not adversely affect fish, wildlife or recreational values in existence at the time of the application as may be determined by the department upon submission of evidence by any person asserting that value.”

3. Amend page 20, former section 11, subsection (5), lines 2 and 3.

Following: the first “the”

Strike: “date the order reserving the water is adopted by the board”

Insert: “filing of an application for a reservation with the department”

And as amended, be concurred in.

BRADLEY, Chairman

Report adopted.

March 20, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 388, respectfully report as follows: That Senate Bill No. 388 be concurred in.

HUENNEKENS, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 119 was adopted by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Guthrie, Gwynn, Hager, Halvorson, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kendall, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, Mular, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmiller, Thomas, Travis, Underdal, Williams, Wood, Mr. Speaker. Total 66.

Noes: Aageson, Bardanouve, Bradley, Brand, Dussault, Federico, Gould, Gunderson, Harper, Helmbrecht, Holmes, Johnson, Kemmis, Kimble, Lockrem, Marks, Meloy, Murphy, Palmer, Richards, Stoltz, Tropila, Vincent, Wyrick. Total 24.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Driscoll, Kelly, Kvaalen, James Moore, Shelden, Wolfe. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 146 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kendall, Kropp, Kummerfeldt, Lester, Lien, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye,

Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Thomas, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 73.

Noes: Bradley, Ellis, Harper, Johnson, Kemmis, Kimble, Lockrem, Meloy, Murphy, Sloan, Stoltz, Travis, Tropila, Vincent. Total 14.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Ellerd, Hager, Huennekens, Kelly, Kvaalen, Luebeck, James Moore, O'Connell, Shelden. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 193 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 89.

Noes: Harper, Holmes, Travis, Tropila. Total 4.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Hager, Kelly, Kvaalen. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 235 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Mercer, Jack Moore, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Thomas, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 74.

Noes: Bertelsen, Bradley, Brand, Day, Federico, Johnson, Kemmis, Meloy, James Moore, Mular, Murphy, Palmer, Richards, Stoltz, Travis, Tropila, Underdal. Total 17.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Casey, Huennekens, Kvaalen, Lien, Menahan. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 310 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, John-

son, Johnston, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 83.

Noes: Bertelsen, Bradley, Federico, Hubing, Kanduch, Kendall, Mular, Seifert, Travis, Tropila. Total 10.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Huennekens, Kvaalen, Stoltz. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 556 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Underdal, Vincent, Wolfe, Wood, Wyrick, Mr. Speaker. Total 85.

Noes: Lockrem, McFadden, James Moore, Mular, Richards, Tropila, Williams. Total 7.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Bengtson, Conroy, Kvaalen, Travis. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 616 was adopted by the following vote:

Ayes: J. Anderson, Asher, W. Baeth, Bardanouve, Bengtson, Bradley, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Kemmis, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Mercer, James Moore, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Thomas, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 64.

Noes: Aageson, C.R. Anderson, Babcock, Barrett, Bertelsen, Brand, Casey, Dassinger, Ellison, Federico, Finley, Guthrie, Harper, Johnston, Kanduch, Kelly, Kendall, Kimble, Lockrem, McFadden, Menahan, Jack Moore, Mular, O'Connell, Schye, Scully, Sloan, Travis, Tropila, Vincent. Total 30.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Huennekens, Kvaalen. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 649 was adopted by the following vote:

Ayes: C.R. Anderson, J. Anderson, Bardanouve, Bertelsen, Brand,

Casey, Conroy, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gunderson, Guthrie, Gwynn, Hager, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnston, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Quilici, Robbins, Schye, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 63.

Noes: Aageson, Babcock, W. Baeth, Barrett, Bradley, Dassinger, Dussault, Federico, Fleming, Gilligan, Gould, Helmbrecht, Jacobsen, Johnson, Kelly, Kimble, Lockrem, McFadden, Magone, Mular, Murphy, Palmer, Rasmussen, Richards, Scully, Seifert, Stoltz, Travis, Tropila. Total 29.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: Asher, R. Baeth, Bengtson, Halvorson, Kvaalen. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 668 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Sivertsen, Smith, South, Staigmillar, Thomas, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 74.

Noes: Bradley, Brand, Dassinger, Dussault, Federico, Holmes, Johnson, Kimble, Lester, Lockrem, Meloy, Mular, Murphy, Palmer, Richards, Sloan, Stoltz, Travis, Tropila, Vincent. Total 20.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen, Shelden. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 685 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Staigmillar, Thomas, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 75.

Noes: Bradley, Dussault, Federico, Guthrie, Harper, Johnson, Kelly, Kimble, Lester, Lockrem, Meloy, Mular, Murphy, Palmer, Seifert, Sloan, Stoltz, Travis, Tropila, Vincent. Total 20.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 688 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 89.

Noes: Federico, Finley, Huennekens, Murphy, South, Tropila. Total 6.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 696 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Holmes, Huennekens, Johnson, Johnston, Kelly, Kemmis, Kendall, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Mercer, Jack Moore, James Moore, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 64.

Noes: J. Anderson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Ellison, Federico, Finley, Fishbaugh, Fleming, Guthrie, Helmbrecht, Herlevi, Hubing, Jacobsen, Kanduch, Kimble, Kropp, Kummerfeldt, Lien, Lockrem, Lund, Manuel, Menahan, Mular, Murphy, Travis, Tropila. Total 30.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen, Schye. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 697 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Casey, Conroy, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Lester, Lien, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Thomas, Travis, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 75.

Noes: J. Anderson, Bertelsen, Bradley, Brand, Dassinger, Dussault, Federico, Fishbaugh, Guthrie, Harper, Johnson, Kimble, Lockrem, Luebeck, Mular, Richards, Stoltz, Tropila, Vincent. Total 19.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kummerfeldt, Kvaalen. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 701 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, W. Baeth, Bardanouve, Bengtson, Bertelsen, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Herlevi, Holmes, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Quilici, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Thomas, Travis, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 69.

Noes: Babcock, Barrett, Bradley, Brand, Dassinger, Federico, Guthrie, Harper, Helmbrecht, Hubing, Johnson, Kemmis, Lester, Lockrem, Meloy, Mular, Murphy, Palmer, Rasmussen, Scully, Stoltz, Tropila, Vincent. Total 23.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Huennekens, Kummerfeldt, Kvaalen, Lien. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 706 was adopted by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 75.

Noes: Aageson, Babcock, Brand, Casey, Dassinger, Day, Federico, Harper, Helmbrecht, Jacobsen, Kimble, Kropp, Kummerfeldt, Lien, Lockrem, Lund, Mular, Murphy, Tropila, Wood. Total 20.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

MESSAGES FROM THE GOVERNOR

March 19, 1975

The Honorable Pat McKittrick
Speaker of the House
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 3, 28, 72, 122, 151, 206, 208, 212, 214, 226, 242, 292, 322, 357, 360, 457 and 692.

Sincerely,

THOMAS L. JUDGE
Governor

March 19, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor this day to inform you that I have approved Senate Bills Nos. 64, 113, 141, 182, 193, 194, 271, 294 and 345.

Sincerely,

THOMAS L. JUDGE
Governor

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 251 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gould, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lien, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmillier, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick. Total 78.

Noes: Brand, Driscoll, Fleming, Gilligan, Gunderson, Harper, Huennekens, Lester, Luebeck, McFadden, Palmer, Scully, South, Stoltz, Thomas, Wolfe, Mr. Speaker. Total 17.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 279 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Travis, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 90.

Noes: Gunderson, Johnson, James Moore, Tropila, Underdal. Total 5.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 306 was concurred in by the following vote:

Ayes: C.R. Anderson, J. Anderson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Staigmiller, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 64.

Noes: Aageson, Asher, Babcock, Bardanouve, Day, Ellerd, Ellison, Fabrega, Fishbaugh, Guthrie, Hager, Hubing, Jacobsen, Kropp, Kummerfeldt, Lien, Lockrem, Manuel, Marks, Mercer, Jack Moore, Rasmussen, Seifert, Sivertsen, Sloan, Smith, South, Underdal, Wood, Wyrick. Total 30.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen, Schye. Total 3.

Senate Bill No. 327 was concurred in by the following vote:

Ayes: Aageson, W. Baeth, Barrett, Bengtson, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 72.

Noes: C.R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Bertelsen, Brand, Conroy, Ellerd, Guthrie, Gwynn, Hubing, Jacobsen, Kropp, McFadden, Marks, Meloy, Richards, Schye, Smith, Staigmiller, Underdal, Wyrick. Total 23.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 398 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 85.

Noes: Ellison, Hager, Lockrem, Marks, Mercer, Robbins, Seifert, Smith, Wood, Wyrick. Total 10.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 2 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 77.

Noes: Asher, Brand, Dassinger, Ellerd, Guthrie, Kelly, Lund, McFadden, Marks, Jack Moore, Seifert, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 16.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen, O'Connell, Schye. Total 4.

Senate Bill No. 154 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, W. Baeth, Barrett, Bengtson, Bradley, Conroy, Dassinger, Day, Driscoll, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Mr. Speaker. Total 69.

Noes: Asher, Bardanouve, Brand, Ellerd, Ellison, Finley, Fleming, Gunderson, Gwynn, Kendall, Kummerfeldt, Lien, Marks, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 18.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: Babcock, R. Baeth, Bertelsen, Casey, Dussault, Kropp, Kvaalen, Meloy, Schye, Wolfe. Total 10.

House Bill No. 289 passed by the following vote:

Ayes: Aageson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan,

South, Staigmilller, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 86.

Noes: C.R. Anderson, J. Anderson, Casey, Federico, Gould, Schye, Smith, Travis, Wyrick. Total 9.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 343 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, South, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Mr. Speaker. Total 80.

Noes: J. Anderson, Asher, Brand, Dassinger, Driscoll, Ellerd, Gwynn, Richards, Seifert, Sloan, Smith, Staigmilller, Wolfe, Wyrick. Total 14.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen, Mular. Total 3.

Senate Joint Resolution No. 17 was concurred in by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 83.

Noes: Aageson, Brand, Fagg, Guthrie, Helmbrecht, Kemmis, Lockrem, Mercer, Sivertsen, Smith, Wood, Wyrick. Total 12.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 3 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici,

Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 91.

Noes: Day, Hubing, Mercer. Total 3.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen, James Moore. Total 3.

Senate Bill No. 92 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: Mercer, Jack Moore. Total 2.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: Asher, R. Baeth, Kvaalen. Total 3.

Senate Bill No. 165 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 83.

Noes: Casey, Day, Ellerd, Hubing, Manuel, Marks, Mercer, Jack Moore, Robbins, Sivertsen, Smith. Total 11.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen, Seifert. Total 3.

Senate Bill No. 234 was concurred in by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, O'Connell,

Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 73.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Conroy, Ellerd, Federico, Hubing, Kelly, Kropp, Lockrem, McFadden, Magone, Mercer, Murphy, Seifert, Smith, Travis, Wood, Wyrick. Total 20.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: Babcock, R. Baeth, Kvaalen, Sivertsen. Total 4.

Senate Bill No. 238 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 94.

Noes: Underdal. Total 1.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 278 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker. Total 82.

Noes: Casey, Gunderson, Huennekens, Johnson, Kendall, Lockrem, Jack Moore, James Moore, Palmer, Scully, Sloan, Stoltz, Wolfe. Total 13.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 325 was concurred in by the following vote:

Ayes: C.R. Anderson, J. Anderson, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden,

Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 76.

Noes: Aageson, Asher, Conroy, Ellison, Gwynn, Hager, Jacobsen, Lockrem, Manuel, Marks, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 19.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 344 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 94.

Noes: None.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen, Magone. Total 3.

Senate Bill No. 371 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 89.

Noes: Brand, Federico, Fishbaugh, Luebeck, Palmer, Seifert. Total 6.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 372 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble,

Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: Fishbaugh, Huennekens, Sloan. Total 3.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen. Total 2.

Senate Bill No. 397 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Schye, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 75.

Noes: Brand, Ellison, Fishbaugh, Gunderson, Guthrie, Harper, Huennekens, Kelly, Luebeck, Mercer, Mular, Palmer, Richards, Scully, Seifert, Smith, Wood, Wyrick. Total 18.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Day, Hubing, Kvaalen. Total 4.

Senate Amendments to House Bill No. 481 were concurred in by the following vote:

Ayes: Aageson, Babcock, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 85.

Noes: C.R. Anderson, J. Anderson, Asher, Barrett, Ellison, Guthrie, Schye, Staigmiller, Wyrick. Total 9.

Excused: Hageman, Teague, Yardley. Total 3.

Absent or not voting: R. Baeth, Kvaalen, Lund. Total 3.

MOTIONS

Meloy moved that the House request the return of Senate Bill No. 393 to the House and that we reconsider our action of the previous legislative day in adopting an adverse committee report on Senate Bill No. 393.

Motion carried.

Driscoll moved that the House accede to the request of the Senate and return House Bill No. 161 to the Senate.

Motion carried.

Gunderson moved that Senate Bill No. 275 be taken from Second Reading and be rereferred to the Committee on Education.

Motion carried.

Driscoll moved that the House adjourn until 1:00 p.m., March 21, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

HOUSE JOURNAL
OF THE
Forty-Fourth Legislature
OF THE
STATE OF MONTANA

VOLUME III

**Held at Helena, the Seat of Government of Said State,
Commencing in Regular Session January 6, 1975, and
Ending April 19, 1975.**

**Commencing in Special Session August 4, 1975, and
Ending August 4, 1975.**

PAT McKITTRICK
Speaker of the House

Edwin A. Smith
Chief Clerk of the House

Linda Barrett
Journal Clerk

PUBLISHED BY
THE MONTANA LEGISLATIVE COUNCIL

SB 401.

Also add HB's Nos. 672, 712, 176, and 717 to
"were signed" report.



1975 HOUSE JOURNAL

The following errors were found in the final proofing of the 1975 House Journal and have been made in the original journal transmitted to the Secretary of State. Please make these corrections in this printed journal also.

<u>Page No.</u>	<u>Correction</u>
37	Should be <u>Lory</u> , not Long.
159	Objection raised by Lory and Sloan on Adverse Committee Report, should be <u>HB 140</u> , not HB 165.
209	Fabrega moved HB 10 be rereferred from <u>2nd</u> reading.
220	Johnson excused (not absent). Change totals: Excused - 2; Absent - 3.
906	Total Ayes should be 71; total excused should be 12.
1564	Meloy moved regarding Governor's amendments to HB 531: should be HB 121.
1610	Driscoll's motion on HB 712: should be <u>HB 715</u> .
1713	Senate amendments to HB 712: Total should be (48-44), not (78-44).
1741	Omit HB 161 from "will be signed" report.
1759	Should be (72-9), not (71-0).
HB 684:	
HB 712:	
HB 672:	
HB 127:	
HB 10:	
HB 60:	

SIXTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 21, 1975

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Teague, Thomas and Yardley, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 21, 1975

I have examined House Bill No. 5 introduced by me and find the same to be correct.

STOLTZ

March 21, 1975

I have examined House Bill No. 570 introduced by me and find the same to be correct.

W. BAETH

March 20, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 271.

QUILICI, Chairman

March 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 11, 191, 486.

QUILICI, Chairman

March 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 5, 570.

QUILICI, Chairman

March 21, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 20, 1975: House Bills Nos. 229, 458, 537, 598, 631.

Edwin A. Smith, Chief Clerk
House of Representatives

March 21, 1975

The following bills will be signed on adjournment on March 21, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 5, 570.

Edwin A. Smith, Chief Clerk
House of Representatives

Objection raised by Meloy on the adverse committee report on House Bill No. 680. Referred to Second Reading.

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 do not pass.

BARDANOUE, Chairman

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 575, respectfully report as follows: That House Bill No. 575 do not pass.

BARDANOUE, Chairman

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 604, respectfully report as follows: That House Bill No. 604 do not pass.

BARDANOUE, Chairman

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 15.

Following: "under"

Strike: "Title IV-A"

Insert: "Titles IV-A and XX"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do pass.

BARDANOUE, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 do pass.

BARDANOUE, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 549, respectfully report as follows: That House Bill No. 549 be amended in the introduced bill as follows:

1. Amend page 2, section 2, line 2.

Strike: line 2 in its entirety.

2. Amend page 2, section 2, following line 4.

Insert: "From the earmarked fund

02188 Aeronautics Commission ERA

\$50,220

\$27,326"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 687, respectfully report as follows: That House Bill No. 687 do pass.

BARDANOUE, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report to House Bill No. 195

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and passed, title and history agreed to, and the said bills and joint resolution are herewith returned to the House:

House Bill No. 180, introduced by South, Gwynn, et al

House Bill No. 252, introduced by Seifert

House Bill No. 464, introduced by Sloan

House Bill No. 522, introduced by Fabrega, Jack Moore, et al

House Bill No. 623, introduced by Finley, Halvorson

House Bill No. 659, introduced by Sheldon, Schye

House Joint Resolution No. 54, introduced by Day, Fishbaugh, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in as amended, title and history agreed to, and the said bills and resolution are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 29, introduced by Gerke

House Bill No. 73, introduced by Jack Moore, Fabrega, et al

House Bill No. 83, introduced by Day, Robbins, et al

House Bill No. 95, introduced by Magone, Sheldon, et al

House Bill No. 416, introduced by Lien, Kummerfeldt, et al

House Bill No. 426, introduced by Kimble, Dussault, et al

House Bill No. 447, introduced by Huennekens

House Bill No. 615, introduced by Jim Moore, Finley, et al

House Joint Resolution No. 48, introduced by Gunderson, Bradley, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate Bills were this day concurred in by the Senate:

House Amendments to Senate Bill No. 77

House Amendments to Senate Bill No. 350

House Amendments to Senate Bill No. 384

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 20, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 211, introduced by Gilligan, Menahan, et al

House Bill No. 251, introduced by Seifert

House Bill No. 257, introduced by Gilligan (by request)

House Bill No. 540, introduced by Holmes, Palmer, et al

House Bill No. 594, introduced by Rasmussen (by request)

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Hager and Schye excused at this time.

Kimble moved that the rules be temporarily suspended so that appropriations bills which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

Huennekens moved that the House request the Senate to return Senate Bill No. 246 to the House and that the House reconsider its action of the previous legislative day in failing to pass Senate Bill No. 246 on Second Reading.

Motion carried.

Harper moved that he withdraw his objection to the adverse committee report on House Bill No. 131.

Motion carried.

Driscoll moved that the rules be temporarily suspended so that Appropriations Committee reports placed on members' desks this day be placed on Second Reading this day.

Motion carried.

Driscoll moved that House Joint Resolution No. 37 be taken from the Committee on Appropriations and be placed on Second Reading this day. Driscoll requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Conroy, Driscoll, Dussault, Federico, Finley, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Lester, Luebeck, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sloan, Staigmiller, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 57.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Bardanouve, Bertelsen, Casey, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Gerke, Gould, Guthrie, Hager, Halvorson, Hubing, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, Lynch, Marks, Mercer, Jack Moore, Robbins, Schye, Seifert, Sivertsen, Smith, South, Underdal, Wood, Wyrick. Total 40.

Paired: Driscoll, Meloy, Thomas, Ayes; Hager, Lockrem, Schye, Noes.

Excused: Teague, Yardley. Total 2.

Absent or not voting: Dassinger. Total 1.

Driscoll moved that House Bill No. 272 be taken from the Committee on Appropriations and be placed on Second Reading this day.

Motion carried.

Lynch moved that House Bill No. 64 be taken from the Committee on Appropriations and be placed on Second Reading this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting, with the exception of the chief sponsors of Appropriations bills.

Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 21, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 37 be amended as follows:

1. Amend page 2, following grade 13.

Strike: Grades 14 through 25 in their entirety.

Insert:

"14	13,116	13,716	14,316	14,916	15,516	16,116	16,416	16,716
15	14,388	14,988	15,588	16,188	16,788	17,388	17,688	17,988
16	15,792	16,392	16,992	17,592	18,192	18,792	19,092	19,392
17	17,316	17,916	18,516	19,116	19,716	20,316	20,616	20,916
18	18,996	19,596	20,196	20,796	21,396	21,996	22,296	22,596
19	20,844	21,444	22,044	22,644	23,244	23,844	24,144	24,444
20	22,860	23,460	24,060	24,660	25,260	25,860	26,160	26,460
21	25,080	25,680	26,280	26,880	27,480	28,080	28,380	28,680
22	27,516	28,116	28,716	29,316	29,916	30,516	30,816	31,116
23	30,180	30,780	31,380	31,980	32,580	33,180	33,480	33,780
24	33,108	33,708	34,308	34,908	35,505	36,108	36,408	36,708
25	36,324	36,924	37,524	38,124	38,724	39,324	39,624	39,924"

2. Amend page 3, following line 6.

Insert: "Effective July 1, 1976 each employee who was eligible for a step increase on July 1, 1975, and whose salary step on June 30, 1976, is less than Step 8, will be eligible to advance to the next higher step providing that his work experience has been satisfactory.

This wage and salary plan will be effective January 1, 1975."

Thomas present at this time.

And be further amended:

3. Amend page 3, following line 6.

Insert: new material to read as follows:

"Maximum salary increase under this legislation shall not exceed two thousand dollars (\$2,000) from January 1, 1975, to June 30, 1977, excluding any cost of living granted during this period." (52-40)

And as amended, do pass. (82-12)

Helmbrecht replaces Murphy in the Chair.

That House Bill No. 271 be amended as follows:

1. Amend page 7, section 12, the following figures:

line 8.	Strike:	"9,971,722	11,094,265"
	Insert:	"10,144,859	11,277,831"
line 20.	Strike:	"346,275	367,132"
	Insert:	"173,138	183,566"

2. Amend page 8, section 12, the following figures:

line 9.	Strike:	"9,330,316	10,296,122"
	Insert:	"9,414,679	10,384,506"
line 19.	Strike:	"166,725	176,768"
	Insert:	"82,362	88,384"

3. Amend page 9, section 12, line 21.

Strike:	"3,295,896	3,679,466"
Insert:	"3,424,883	3,804,659"

4. Amend page 10, section 12, line 6.

Strike:	"145,000	145,000"
Insert:	"16,013	19,807" (55-33)

Murphy resumes the Chair. Hager present at this time.

And be further amended:

5. Amend page 15, following line 9.

Insert: a new paragraph.

"The regents shall grant classified university employees salaries in accord with House Joint Resolution No. 37, Forty-fourth Legislature." (82-0)

Menahan replaces Murphy in the Chair. Murphy resumes the Chair.

That House Bill No. 271 do pass. (91-4)

Brand excused at this time.

That House Bill No. 272 do pass. (64-26)

That House Bill No. 64 do not pass. (55-38)

That the Committee rise and report.

MURPHY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 21, 1975

The following bills will be signed on adjournment on March 21, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 34, 55, 69, 94, 162, 174.

Edwin A. Smith, Chief Clerk
House of Representatives

March 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly printed: House Bills Nos. 335, 687.

QUILICI, Chairman

March 21, 1975

I have examined House Bill No. 481 introduced by me and find the same to be correct.

JOHNSON

March 21, 1975

I have examined House Bill No. 504 introduced by me and find the same to be correct.

PALMER

March 21, 1975

I have examined House Joint Resolution No. 55 introduced by me and find the same to be correct.

DUSSAULT

March 21, 1975

I have examined House Joint Resolution No. 61 introduced by me and find the same to be correct.

BRAND

March 21, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly enrolled: House Joint Resolutions Nos. 55, 61, House Bills Nos. 481, 504.

QUILICI, Chairman

March 21, 1975

The following bills and resolutions will be signed on adjournment on March 21, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolutions Nos. 55, 61, House Bills Nos. 481, 504.

Edwin A. Smith, Chief Clerk
House of Representatives

Objection raised by Lockrem on the adverse committee report on Senate Bill No. 125. Referred to Second Reading.

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 be amended in the introduced bill as follows:

1. Amend page 5, section 13, the following figures:

line 18. Strike: "295"
Insert: "2,215"

line 24. Strike: "8,753"
Insert: "61,059"

2. Amend page 6, section 13, the following figures:

line 3. Strike: "146"
Insert: "937"

line 7. Strike: "677"
Insert: "9,952"

3. Amend page 6, section 13, following line 7.

Insert:	"Board of Medical Doctors Program From the Earmarked Revenue Fund 02152 Board of Medical Examiners ERA	10,000
	Board of Nursing Program From the Earmarked Revenue Fund 02224 Board of Nursing ERA	3,214
	Board of Pharmacists Program From the Earmarked Revenue Fund 02220 Board of Pharmacy ERA	12,420
	Board of Plumbers Program From the Earmarked Revenue Fund 02190 Plumbing Examiners ERA	5,350
	Board of Veterinarians Program From the Earmarked Revenue Fund 02232 Veterinary Medical Examiners ERA	1,000
	Board of Hearing Aid Dispensers From the Earmarked Revenue Fund 02027 Hearing Aid Dispensers ERA	400
	Board of Electrical Program From the Earmarked Revenue Fund 02050 Electrical Board ERA	48,989
	Board of Sanitarians From the Earmarked Revenue Fund 02035 Sanitarians Registration ERA	500"

4. Amend page 6, section 13, the following figures:

line 13. Strike: "15,750"
Insert: "23,750"

Strike: "1,000,000"
Insert: "249,488"

5. Amend page 6, section 13, following line 20.

Insert: "Economic Assistance Program
From the General Fund 1,800,000"

6. Amend page 7, section 13, following line 1.

Insert: "Department of Labor and Industry Workmen's Compensation Division Insurance Compliance Program From the General Fund	20,000
Department of Business Regulation Private Post-secondary Education Program From the General Fund	17,065
Department of Justice Highway Patrol Bureau Patrol Operations Program From the General Fund	15,700
Environmental Quality Council From the General Fund	11,015
Department of Administration State Board of Examiners Claim of Joseph N. Dalbec From the General Fund	574.95"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 698, respectfully report as follows: That House Bill No. 698 be amended in the introduced bill as follows:

1. Amend title, page 1, line 7.

Following: "act."

Insert: "; and providing an effective date."

2. Amend page 1, section 1, line 14.

Following: "fund"

Strike: "1,219,000"

Insert: "For Silver Bow County	
From the General Fund	\$1,099,000
For Mineral County	\$51,600"

3. Amend page 1, following line 17.

Insert: a new section 3.

"Section 3. Effective date. This act is effective on passage and approval."

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 21, respectfully report as follows: That Senate Bill No. 21 be not concurred in.

HUENNEKENS, Chairman
MELOY, Acting Chairman

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 206, respectfully report as follows: That Senate Bill No. 206 be not concurred in.

HUENNEKENS, Chairman

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 362, respectfully report as follows: That Senate Bill No. 362 be not concurred in.

HUENNEKENS, Chairman

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 201, respectfully report as follows: That Senate Bill No. 201 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 134, respectfully report as follows: That Senate Bill No. 134 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 123, respectfully report as follows: That Senate Bill No. 123 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 274, respectfully report as follows: That Senate Bill No. 274 be amended in the Third Reading bill as follows:

1. Amend page 2, section 3, subsection (1), line 17.

Following: "by the"

Strike: "board of pardons"

Insert: "department"

2. Amend page 3, section 4, subsection (2), line 15.

Following: "The"

Strike: "board of pardons"

Insert: "department"

3. Amend page 3, section 4, subsection (2), line 17.

Strike: "board of pardons"

Insert: "department"

4. Amend page 6, section 5, subsection (4), line 19.

Following: "by the"

Strike: "board of pardons"

Insert: "department"

5. Amend page 7, section 6, line 2.

Following: "the"

Strike: "board of pardons"

Insert: "department"

6. Amend page 7, section 6, lines 12 and 13.

Following: "to the"

Strike: "board of pardons"

Insert: "department"

7. Amend page 7, section 6, line 15.

Following: "by the"

Strike: "board of pardons"

Insert: "department"

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 93, respectfully report as follows: That Senate Bill No. 93 be amended in the Third Reading bill as follows:

1. Amend title, page 1, lines 7 and 8.

Following: "review"

Strike: ", the assessment of costs on certain appeals, and interlocutory adjudications"

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 21, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 143, respectfully report as follows: That Senate Bill No. 143 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 5.

Strike: "11-1104"

Insert: "37-301"

2. Amend page 1, following line 8.

Strike: everything after the enacting clause.

Insert: "Section 1. Section 37-301, R.C.M. 1947, is amended to read as follows:

'37-301. Petition to initiate county resolution — adoption by board — submission to people — waiting period before reenactment of resolution repealed by people. (1) Resolutions may be proposed by the legal voters of any county in this state, in the manner provided in this act. Fifteen per cent (15%) of the legal voters of any county may propose to the board of county commissioners a resolution on a subject within the legislative jurisdiction and powers of such county commissioners, or a resolution amending or repealing any prior resolution or resolutions. Petitions shall be filed with the county clerk. The county clerk shall present the same to the board at its first meeting next following the filing of the petition. The board may, within sixty (60) days after the presentation of the petition to the board, adopt the resolution as set forth in the petition. If the resolution proposed by the petition is passed without change, it shall not be submitted to the people, unless a petition for referendum demanding such submission is filed under the provisions of this act.

(2) If the board does not, within sixty (60) days, pass the resolution proposed in the petition, then the resolution proposed by the petition shall be submitted to the people. Before submitting such resolution to the people, the board may direct that a suit be brought in the district court in and for the county to determine whether the petition and ordinance are regular in form, and whether the ordinance so proposed would be valid and constitutional. If the board determines that a suit must be brought, the suit shall be filed within fifteen (15) days after presentation of the petition to the board. The procedure for judicial review shall be the same as that provided for the cities in section 11-1104 (4) and (5).

(3) If a resolution is repealed pursuant to a proposal initiated by the qualified electors of a county as provided in this act, the board of commissioners may not, within a period of two (2) years thereafter, reenact such resolution or any resolution so similar thereto as not to be materially different therefrom. If during such two (2) year period the board enacts a resolution similar to the one repealed pursuant to initiative of the voters, a suit may be brought to determine whether the new resolution is a reenactment without material change of the one so repealed. The same procedures set forth for cities shall apply to such suit and determination of the issues arising thereon. Nothing herein contained shall prevent exercise of the initiative herein provided for, at any time, to procure a reenactment of a resolution repealed pursuant to initiative of the voters.”

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 101 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Day, Driscoll, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Travis, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker. Total 69.

Noes: Barrett, Casey, Dussault, Ellerd, Ellison, Gunderson, Lockrem, Lund, Mercer, Seifert, Sloan. Total 11.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: J. Anderson, Bardanouve, Conroy, Dassinger, Fagg, Huennekens, Kendall, Kimble, Kropp, Kummerfeldt, Mular, Palmer, Stoltz, Thomas, Tropila, Wolfe. Total 16.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 131 was adopted by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, O'Connell, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Thomas, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 66.

Noes: Bertelsen, Bradley, Day, Ellison, Finley, Gunderson, Hageman, Harper, Johnson, Kummerfeldt, Lester, McFadden, James Moore, Mular, Murphy, Scully, Sloan, Vincent. Total 18.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: J. Anderson, Bardanouve, Casey, Conroy, Dassinger, Fishbaugh, Kendall, Kimble, Palmer, Stoltz, Travis, Tropila. Total 12.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 505 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Thomas, Tropila, Underdal, Wolfe, Wood, Wyrick, Mr. Speaker. Total 75.

Noes: Aageson, Bengtson, Bradley, Casey, Harper, Helmbrecht, Johnson, Meloy, Richards, Scully, Vincent. Total 11.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Dassinger, Ellerd, Gunderson, Kendall, Kimble, Stoltz, Travis, Williams. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 564 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch,

Kemmis, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Thomas, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 76.

Noes: Aageson, Bengtson, Bradley, Casey, Halvorson, Johnson, Kelly, James Moore, Mular, Richards, Scully, Vincent. Total 12.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Dassinger, Kendall, Kimble, Kummerfeldt, Stoltz, Travis. Total 8.

REPORTS OF SELECT COMMITTEES

March 20, 1975

Free Joint Conference Committee Report On House Bill No. 243

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 243, met March 20, 1975, and considered Senate Committee on Judiciary Amendments dated March 6, 1975, and recommend as follows:

That the House accede to the Senate Committee on Judiciary Amendments Nos. 1 through 4,

And that House Bill No. 243, as so amended, be concurred in.

FOR THE HOUSE:

MENAHAN, Chairman
DUSSAULT
RASMUSSEN

FOR THE SENATE:

ROBERTS, Chairman
CETRONE
DRAKE

Report adopted.

MOTIONS

Gould moved that House Joint Resolution No. 37 and House Bill No. 272 be taken from Third Reading and be referred to the Committee on Appropriations.

Motion failed.

Jim Moore requested that the Speaker prepare a letter congratulating the University of Montana Grizzlies on their close game with UCLA.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 1 was concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 74.

Noes: Babcock, Barrett, Ellison, Guthrie, Hager, Lockrem, Lund, Mercer, Scully, Smith, Staigmillier, Underdal, Wood, Wyrick. Total 14.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: C.R. Anderson, Bardanouve, Conroy, Gerke, Jacobsen, Johnston, Kendall, Kimble. Total 8.

Senate Bill No. 48 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 82.

Noes: Casey, Hubing, Kvaalen, Lockrem, Marks, Mercer, Smith. Total 7.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Bertelsen, Conroy, Dassinger, Gerke, Kendall, Kimble. Total 7.

Senate Bill No. 135 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 91.

Noes: None.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Dassinger, Kendall, Kimble. Total 5.

Senate Bill No. 164 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, W. Baeth, Barrett, Bengtson, Brand, Casey, Conroy, Day, Ellerd, Ellis, Fagg, Fleming, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Hubing, Johnston, Kanduch, Kelly, Kropp, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, Manuel, Marks, Menahan, Mercer, Mular, Murphy, O'Connell, Quilici, Robbins, Scully, Seifert, Sivertsen, Sloan, Smith, Staigmillier, Teague, Thomas, Wood, Mr. Speaker. Total 53.

Noes: Asher, R. Baeth, Bertelsen, Bradley, Driscoll, Dussault, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Halvorson, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kemmis, Kummerfeldt, Kvaalen, Lory, Magone, Meloy, Jack Moore, James Moore, Palmer, Rasmussen, Richards, Shelden, South, Stoltz, Underdal, Vincent, Williams, Wolfe, Wyrick. Total 37.

Paired: Brand, Conroy, Teague, Ayes; Driscoll, Johnson, Meloy, Noes.

Excused: Schye, Yardley. Total 2.

Absent or not voting: Bardanouve, Dassinger, Gunderson, Kendall, Kimble, McFadden, Travis, Tropila. Total 8.

Senate Bill No. 189 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bengtson, Bradley, Casey, Day, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 84.

Noes: Barrett, Bertelsen, Ellison, Kropp. Total 4.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Dassinger, Driscoll, Kendall, Kimble, Meloy, Tropila. Total 8.

Senate Bill No. 245 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Day, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 87.

Noes: Sloan. Total 1.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Dassinger, Ellis, Kendall, Kimble, Meloy, Tropila. Total 8.

Senate Bill No. 269 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley,

Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 87.

Noes: Huennkens. Total 1.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Dassinger, Kendall, Kimble, Meloy, Mercer, Thomas. Total 8.

Senate Bill No. 304 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 90.

Noes: None.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Dassinger, Kendall, Kimble, Meloy. Total 6.

Senate Bill No. 312 was concurred in by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, South, Staigmillier, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wood, Mr. Speaker. Total 71.

Noes: C.R. Anderson, Asher, Barrett, Casey, Ellerd, Ellison, Fabrega, Gunderson, Guthrie, Jacobsen, Mercer, Jack Moore, Seifert, Sivertsen, Sloan, Smith, Wyrick. Total 17.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Dassinger, Kendall, Kimble, Meloy, Tropila, Wolfe. Total 8.

Senate Bill No. 315 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kummerfeldt, Lester, Luebeck, Lynch, McFadden, Magone, Manuel, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, Staigmillier, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 62.

Noes: J. Anderson, Asher, Babcock, Barrett, Ellerd, Ellison, Fabrega, Gerke, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Kropp, Kvaalen, Lien, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Seifert, Sivertsen, Smith, Underdal, Wyrick. Total 28.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Kendall, Kimble, Meloy, South. Total 6.

Senate Bill No. 323 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sloan, South, Staigmillier, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 67.

Noes: J. Anderson, Asher, R. Baeth, Day, Ellerd, Ellison, Fabrega, Finley, Fishbaugh, Gould, Gwynn, Hager, Jacobsen, Lockrem, Mercer, Jack Moore, James Moore, Scully, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 24.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Kendall, Kimble, Meloy. Total 5.

Senate Bill No. 330 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, W. Baeth, Bengtson, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Harper, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Shelden, Sloan, South, Staigmillier, Stoltz, Thomas, Travis, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 63.

Noes: Asher, Babcock, R. Baeth, Barrett, Casey, Day, Ellerd, Ellison, Fabrega, Finley, Fishbaugh, Guthrie, Hageman, Halvorson, Helmbrecht, Herlevi, Jacobsen, Lockrem, Magone, Jack Moore, Robbins, Scully, Seifert, Sivertsen, Smith, Tropila, Underdal, Wyrick. Total 28.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Kendall, Kimble, Meloy. Total 5.

Senate Bill No. 337 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 82.

Noes: Ellison, Fabrega, Guthrie, Hubing, Kelly, Kvaalen, Seifert, Smith, Wyrick. Total 9.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Kendall, Kimble, Travis. Total 5.

Senate Bill No. 363 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 80.

Noes: J. Anderson, Ellerd, Finley, Guthrie, Kropp, Kvaalen, Lockrem, Mercer, Smith. Total 9.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Ellison, Kendall, Kimble, Meloy, Palmer. Total 7.

House Joint Resolution No. 37 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 77.

Noes: Asher, Ellerd, Ellison, Fabrega, Fagg, Halvorson, Hubing, Kvaalen, Lien, Mercer, Smith, Wood, Wyrick. Total 13.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: R. Baeth, Bardanouve, Conroy, Huennekens, Kendall, Kimble. Total 6.

House Bill No. 271 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 87.

Noes: Asher, Gunderson, Seifert, Smith, Wyrick. Total 5.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Kendall, Kimble. Total 4.

House Bill No. 272 passed by the following vote:

Ayes: C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 74.

Noes: Aageson, Asher, Barrett, Ellerd, Ellison, Fabrega, Fagg, Guthrie, Hubing, Kvaalen, Lien, Lockrem, Mercer, Smith, Wood, Wyrick. Total 16.

Excused: Brand, Schye, Teague, Yardley. Total 4.

Absent or not voting: Bardanouve, Conroy, Kendall, Kimble, Kummerfeldt, Sivertsen. Total 6.

MOTIONS

Meloy moved that the pair of Tropila and Huennekens that was used on Senate Bill No. 164 on Third Reading this day be withdrawn, and that Huennekens be recorded as voting "no".

Motion carried.

MESSAGES FROM THE OTHER HOUSE

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate, attaining a two-thirds vote of the members present, did this day override the Governor's veto of Senate Bill No. 353, and is herewith transmitting said bill and veto message to the House for your consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 279, introduced by Menahan, Dussault

House Bill No. 284, introduced by Jacobsen

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee on House Bill No. 202

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's amendments to Senate Bill No. 108 were this day concurred in and are herewith transmitted to the House for concurrence.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on third reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No.
418

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion this day, duly carried, requests the return of House Bill No. 540 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate Bills were this day concurred in by the Senate:

House Amendments to Senate Bill No. 26

House Amendments to Senate Bill No. 334

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and passed, title and history agreed to, and the said bills and joint resolution are herewith returned to the House:

House Bill No. 203, introduced by Kemmis, Magone, et al

House Bill No. 337, introduced by Murphy

House Bill No. 378, introduced by Manuel

House Bill No. 485, introduced by Brand, Fagg, et al

House Bill No. 590, introduced by Kimble

House Joint Resolution No. 62, introduced by Richards, Johnson, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, titles and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 77, introduced by Kvaalen

House Bill No. 154, introduced by Bardanouve, Mercer, et al

House Bill No. 184, introduced by Lien, Smith, et al

House Bill No. 393, introduced by Jim Moore, McKittrick

House Bill No. 400, introduced by Harper, Vincent, et al

House Bill No. 424, introduced by Jim Moore, Fabrega

House Bill No. 518, introduced by Tropila, Murphy, et al

House Bill No. 532, introduced by Mercer, Lockrem, et al

House Bill No. 561, introduced by Murphy

House Bill No. 567, introduced by Jim Moore, Kimble, et al

House Bill No. 646, introduced by McKittrick, Holmes

House Bill No. 647, introduced by Jim Moore, Mular, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 393, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 21, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bills are herewith returned to the House:

House Bill No. 239, introduced by Conroy, Mular, et al

House Bill No. 539, introduced by Kummerfeldt, Gunderson, et al

House Bill No. 625, introduced by Bradley, Johnson

Respectfully yours,

John N. Hanson
Secretary of the Senate

Driscoll moved that the House adjourn until 11:00 a.m., March 22, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 22, 1975

House Chambers
Capitol Building

House convened at 12:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Kimble, Lien, Mular, Schye, and Teague, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 22, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 60.

QUILICI, Chairman

March 22, 1975

I have examined House Bill No. 306 introduced by me and find the same to be correct.

BARDANOUVE

March 22, 1975

I have examined House Joint Resolution No. 42 introduced by me and find the same to be correct.

JAMES MOORE

March 22, 1975

I have examined House Bill No. 297 introduced by me and find the same to be correct.

LESTER

March 22, 1975

I have examined House Bill No. 568 introduced by me and find the same to be correct.

FISHBAUGH

March 22, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Joint Resolution No. 42, House Bills Nos. 297, 306, 568.

QUILICI, Chairman

March 22, 1975

The following bills and resolution will be signed on adjournment on March 22, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 42, House Bills Nos. 297, 306, 568.

Edwin A. Smith, Chief Clerk
House of Representatives

March 22, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 21, 1975: House Joint Resolutions Nos. 55, 61, House Bills Nos. 481, 504, Senate Bills Nos. 34, 55, 69, 94, 162, 174, Senate Joint Resolution No. 18.

Edwin A. Smith, Chief Clerk
House of Representatives

March 22, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 21, 1975: House Bills Nos. 5, 570.

Edwin A. Smith, Chief Clerk
House of Representatives

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 591, respectfully report as follows: That House Bill No. 591 do pass.

BARDANOUE, Chairman

Report adopted.

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 622, respectfully report as follows: That House Bill No. 622 do pass.

BARDANOUE, Chairman

Report adopted.

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 700, respectfully report as follows: That House Bill No. 700 do pass.

BARDANOUE, Chairman

Report adopted.

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 be amended as follows:

1. Amend page 2, section 1(1)(a), line 12.
Following: "[twenty cents (\$.20)]"
Strike: "forty-five cents (\$.45)"
Insert: "thirty-five cents (\$.35)"
2. Amend page 2, section 1(1)(b), line 21.
Following: "[(\$.20)]"

Strike: "forty-five cents (\$.45)"

Insert: "thirty-five cents (\$.35)"

And as amended, do pass.

(Material in brackets denotes cancelled type.)

BARDANOUE, Chairman

Report adopted.

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 be amended as follows:

1. Amend page 2, section 1(1), line 22.

Following: "by"

Strike: "twelve cents (\$.12)"

Insert: "nine cents (\$.09)"

2. Amend page 5, section 1(2), line 14.

Strike: "twelve cents (\$.12)"

Insert: "nine cents (\$.09)"

3. Amend page 7, section 1(4), line 9.

Following: "be"

Strike: "four dollars (\$4)"

Insert: "three dollars (\$3)"

4. Amend page 7, section 1(4), lines 9 and 10.

Following: "transportee and"

Strike: "two dollars (\$2)"

Insert: "one dollar and fifty cents (\$1.50)"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 705, respectfully report as follows: That House Bill No. 705 be amended as follows:

1. Amend page 1, title, lines 4 and 5.

Following: "appropriating"

Strike: "two hundred fifty thousand dollars"

Insert: "one hundred forty thousand dollars"

2. Amend page 1, section 1, line 11.

Following: "appropriated"

Strike: "the following money"

Insert: "one hundred forty thousand dollars (\$140,000)"

3. Amend page 1, section 1, line 12.

Following: "bureau of mines"

Insert: "for the biennium ending June 30, 1977,"

4. Amend page 1, section 1, line 14.

Following: "No. 54"

Strike: "for the biennium ending June 30, 1974:"

Insert: "but providing that the study shall be confined to the vicinity of the major strippable coal seams in the Fort Union Formation."

5. Amend page 1, section 1, lines 15 through 18.
Strike: lines 15 through 18 in their entirety.

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 411, respectfully report as follows: That House Bill No. 411 do not pass.

BARDANOUE, Chairman

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 429, respectfully report as follows: That House Bill No. 429 do not pass.

BARDANOUE, Chairman

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 669, respectfully report as follows: That House Bill No. 669 do not pass.

BARDANOUE, Chairman

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 675, respectfully report as follows: That House Bill No. 675 do not pass.

BARDANOUE, Chairman

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 707, respectfully report as follows: That House Bill No. 707 do not pass.

BARDANOUE, Chairman

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 703, respectfully report as follows: That House Bill No. 703 do not pass.

BARDANOUE, Chairman

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 709, respectfully report as follows: That House Bill No. 709 do not pass.

BARDANOUE, Chairman

March 22, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 710, respectfully report as follows: That House Bill No. 710 do not pass.

BARDANOUE, Chairman

March 20, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 175, respectfully report as follows: That Senate Bill No. 175 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 8.

Following: "funding"

Insert: "; and providing an effective date"

2. Amend page 2, section 2, subsection (1), lines 1 through 5.

Following: "lakeshore,"

Strike: "occurring naturally rather than virtue of constructed impoundments (although a natural lake whose level is raised and whose area is increased by the construction of impoundments includes the additional level and area),"

3. Amend page 2, section 2, subsection (1), line 17.

Following: "apply to"

Strike: "natural"

4. Amend page 3, section 3, lines 15 and 16.

Following: "lagooning;"

Strike: "and filling"

Insert: "filling; and constructing breakwaters of pilings"

5. Amend page 4, section 4, subsection (2) (a) and (b), lines 9 and 10.

Following: "(a)" and "(b)"

Strike: "materially" in both lines.

6. Amend page 4, section 4, subsection (2), line 10.

Following: "fish"

Strike: "or"

Insert: " ,"

7. Amend page 4, section 4, subsection (2), line 10.

Following: "wildlife,"

Insert: "or other aquatic life,"

8. Amend page 5, section 4, subsection (6), lines 6 through 10.

Strike: "The department of natural resources and conservation may, upon petition of five (5) owners or thirty percent (30%) of the owners of land [along] abutting a lake, whichever is greater, adopt such regulations for the particular lake."

Insert: "If a local governing body has not adopted regulations in compliance with subsection (1) of this section on January 1, 1976, the department of natural resources and conservation may, upon petition of five (5) owners of land abutting a lake, adopt such regulations for the particular lake."

9. Amend page 9, following line 8.

Insert: a new section 14 as follows:

"Section 14. Effective date. This act is effective upon passage and approval."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRADLEY, Chairman

Report adopted.

March 22, 1975

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 275, respectfully report as follows: That Senate Bill No. 275 be amended in the Third Reading copy as follows:

1. Amend the title, page 1, lines 6 through 9.

Following: "An act"

Strike: "repealing Section [75-6126] 75-6121, and amending Sections 75-6117, [75-6118,] 75-6119, 75-6120, 75-6122, 75-6123, 75-6124, and 75-6125, R.C.M. 1947;"

2. Amend the title, page 1, lines 9 through 13.

Following: "providing for"

Strike: "the utilization of the board of personnel appeals in controversies arising under the professional negotiations act for teachers, defining and providing a remedy for unfair labor practices, and otherwise amending the professional"

Insert: "issuance of individual teacher contracts during"

3. Amend the title, page 1, line 13.

Following: "negotiations"

Strike: "act for"

Insert: "between"

4. Amend the title, page 1, lines 13 and 14.

Following: "teachers"

Strike: "; and providing an immediate effective date"

Insert: "and school boards"

5. Amend page 1, line 17 through page 17, line 6.

Following: "Section 1."

Strike: the remainder of the bill in its entirety.

Insert: "There is a new R.C.M. section that reads as follows:

Issuance of individual teacher contracts. In the case of negotiation involving teachers and school boards, individual teacher contracts may be issued if an agreement has been ratified. If an individual teacher contract contains any language inconsistent with the agreement, the agreement during its duration shall be controlling. In the event some items remain at issue in negotiations and the representative of teachers deems it necessary an election may be called. If a majority of those teachers casting ballots consider the items remaining to be of minor importance, individual teacher contracts may be issued and the items remaining shall be negotiated following the issuance of individual teacher contracts."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

Objection raised by Scully on the adverse committee report on Senate Bill No. 206. Referred to Second Reading.

Objection raised by Meloy on the adverse committee report on House Bill No. 675. Referred to Second Reading.

Objection raised by Bertelsen on the adverse committee report on House Bill No. 703. Referred to Second Reading.

MOTIONS

Driscoll moved that the House rules be temporarily suspended this day so that committee reports from the Committee on Appropriations be placed on Second Reading for consideration this day.

Motion carried.

Driscoll moved that the House rules be temporarily suspended so that objections to adverse committee reports from the Committee on Appropriations be placed on Second Reading this day.

Motion carried.

Driscoll moved that Appropriations bills be taken from Printing and be placed on Second Reading this day.

Motion carried.

Driscoll moved that all Appropriations bills which pass Second Reading amended or unamended this day be placed on Third Reading this day.

Motion carried.

Murphy moved that the House reconsider its action of the previous legislative day in adopting an adverse committee report on House Bill No. 131. Murphy requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: C. R. Anderson, W. Baeth, Bertelsen, Bradley, Dassinger, Day, Driscoll, Dussault, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Harper, Herlevi, Huennekens, Jacobsen, Johnson, Kemmis, Kropp, Kummerfeldt, Lester, Luebeck, McFadden, Meloy, James Moore, Murphy, O'Connell, Palmer, Rasmussen, Richards, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Travis, Tropila, Vincent, Wolfe, Mr. Speaker. Total 43.

Noes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, Barrett, Bengtson, Brand, Casey, Conroy, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Gerke, Gould, Guthrie, Hager, Halvorson, Helmbrecht, Hubing, Johnston, Kanduch, Kelly, Kendall, Kvaalen, Lockrem, Lory, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Quilici, Robbins, Seifert, Sivertsen, Smith, Underdal, Williams, Wood, Wyrick, Yardley. Total 47.

Excused: Kimble, Lien, Mular, Schye, Teague. Total 5.

Absent or not voting: Bardanouve, Federico, Holmes, Lund, Thomas. Total 5.

Meloy moved that Senate Bill No. 175 be taken from Second Reading and be rereferred to the Committee on Natural Resources.

Motion carried.

REPORTS OF STANDING COMMITTEES

Objection raised by Holmes on the adverse committee report on House Bill No. 669. Referred to Second Reading.

Objection raised by Meloy on the adverse committee report on House Bill No. 710. Referred to Second Reading.

Objection raised by Dussault on the adverse committee report on House Bill No. 709. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

March 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion duly carried, requests the return of House Bill No. 539 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 22, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 11 do pass. (90-0)

That House Bill No. 191 do pass. (65-24)

That House Bill No. 486 be amended as follows:

1. Amend page 2, section 1, line 5.

Following: "fund"

Strike: "\$61,234"

Insert: "\$11,234"

2. Amend page 2, section 1, line 7.

Following: "fund"

Strike: "\$97,754"

Insert: "\$147,754" (84-0)

And as amended, do pass. (86-0)

That House Bill No. 576 be passed below House Bill No. 669 on the board.

Robbins excused at this time.

That House Bill No. 680 do not pass. (59-33)

That House Bill No. 695 do pass. (85-0)

That House Bill No. 335 do pass. (78-5)

That House Bill No. 687 be passed below House Bill No. 265.

That House Bill No. 60 do pass. (73-13)

That House Bill No. 265 be passed below House Bill No. 687.

Mular present at this time.

That House Bill No. 687 do pass. (76-13)

That House Bill No. 265 do pass. (72-11)

That House Bill No. 698 do pass. (91-1)

That House Bill No. 53 do pass. (79-15)

That the Committee rise and report and beg leave to sit again.

LOCKREM, Chairman

Report adopted.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 22, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Fagg excused at this time.

That House Bill No. 54 do pass. (84-0)

That House Bill No. 327 do pass. (86-0)

That House Bill No. 591 do pass. (80-8)

That House Bill No. 622 do pass. (78-11)

That House Bill No. 675 be placed below House Bill No. 576 on the board.

That House Bill No. 700 do pass. (86-3)

That House Bill No. 703 do pass. (47-40)

That House Bill No. 705 do pass. (79-9)

That House Bill No. 549 do pass. (86-3)

That House Bill No. 669 be amended as follows:

1. Amend the title, lines 4 and 5.

Strike: "one hundred and fifty thousand"

Insert: "twenty-four thousand and seventy-five"

2. Amend page 1, section 1, lines 11 and 12.

Following: "department of"

Strike: "social and rehabilitation services, vocational rehabilitation division"

Insert: "institutions"

3. Amend page 1, section 1, line 15.

Strike: "\$150,000"

Insert: "\$24,075" (76-9)

And be further amended:

4. Amend page 1, following line 15.

Insert: "The above appropriation is contingent upon the receipt of federal funds." (64-21)

And as amended, do not pass. (50-37)

That House Bill No. 576 be passed for the day.

That House Bill No. 675 be amended as follows:

1. Amend title, page 1, lines 6 and 7.

Following: "guidelines"

Strike: "and to identify areas of critical state concern"

2. Amend page 2, section 1, subsection (7), lines 20 through 25.

Strike: subsection (7) in its entirety.

3. Amend page 3, section 2, subsection (2), lines 5 and 6.

Strike: subsection (2) in its entirety and renumber subsequent subsections.

4. Amend page 7, section 4, subsection (1)(k), lines 24 through page 8, line 1.

Following: "guidelines"

Strike: the remainder of subsection (k) in its entirety.

Insert: ";

5. Amend page 8, section 4, subsection (1)(1), lines 2 and 3.

Strike: subsection (1) in its entirety and reletter subsequent subsections.

6. Amend page 8, section 4, present subsection (1)(m), line 5.

Following: "committee;"

Strike: "and"

7. Amend page 8, section 4, present subsection (1)(o), line 8.

Following: "law"

Strike: ";

Insert: " ; and"

8. Amend page 8, section 4, following line 8.

Insert: "(o) study and make recommendations to the legislature on the implementation of a program for appropriate compensation by the public to owners of lands within this state for the value of any loss of use of such lands resulting directly from the imposition of any zoning, subdivision, or other ordinance or regulation regulating or restricting the use of such lands. Such recommendations shall include, but not be limited to, proposed methods for the valuation of such loss of use and proposed limits, if any, to be imposed upon the amount of compensation to be paid by the public for any such loss of use."

9. Amend page 9, line 23 through page 12, line 5.

Strike: sections 7 and 8 in their entirety and renumber subsequent sections.

10. Amend page 14, present section 9, subsection (3), lines 18 through 24.

Strike: subsection (3) in its entirety.

11. Amend page 16, present section 11, line 6.

Following: "following"

Strike: " ;"

12. Amend page 16, present section 11, line 7.

Strike: "(1)"

13. Amend page 16, present section 11, lines 8 through 23.

Strike: letters (A) through (L)

Insert: numerals (1) through (12) in their place

14. Amend page 16, line 25 through page 17, line 18.

Strike: the remainder of present section 11 in its entirety.

15. Amend page 18, present section 12, line 3.

Following: "recommendations,"

Insert: "and"

16. Amend page 18, present section 12, lines 3 and 4.

Following: "guidelines"

Strike: "and criteria for areas of critical state concern"

17. Amend page 18, present section 12, subsection (2), lines 14 through 16.

Following: "section"

Strike: "and including a preliminary growth policy, recommendations, guidelines and suggested criteria for areas of critical state concern"

18. Amend page 20, present section 14, line 9.

Following: "section"

Strike: "[14] 12 and [15] 13"

Insert: "10 and 11"

19. Amend page 22, present section 18, line 11.

Following: "sections"

Strike: "[21] 18 and [22] 19"

Insert: "17 and 18"

20. Amend page 23, present section 19, subsection (1), line 15.

Strike: "17"

Insert: "16"

21. Amend page 23, present section 19, subsection (2), line 21.

Following: "[20]"

Strike: "17"

Insert: "16"

22. Amend page 24, present section 19, subsection (4), line 7.

Following: "[20]"

Strike: "(17)"

Insert: "16"

23. Amend page 26, present section 21, lines 3 through 25.

Strike: present section 21 in its entirety.

24. Amend page 29, present section 22, line 21 through page 30, line 10.

Strike: present section 22 in its entirety and renumber subsequent sections.

25. Amend page 30, present section 23, lines 11 through 15.

Following: "(1)"

Strike: the remainder of subsection (1) in its entirety.

26. Amend page 30, present section 23, line 16.

Strike: "(2)"

27. Amend page 30, present section 23, lines 22 through page 31, line 1.

Strike: subsection (3) in its entirety and renumber the subsequent subsection.

28. Amend page 31, present section 23, line 4.

Following: "subsection"

Strike: "(2)"

Insert: "(1)" (59-6)

And be further amended:

29. Amend page 31, section 24, lines 6 and 7.

Strike: "two hundred thousand dollars (\$200,000)"

Insert: "one hundred thousand dollars (\$100,000)" (64-2)

Sivertsen excused at this time.

And as amended, do pass. (48-44)

(Material in brackets denotes cancelled type.)

Lockrem resumes the Chair.

That House Bill No. 710 do not pass. (52-38)

That House Bill No. 709 do not pass. (47-40)

That the Committee rise and report.

LOCKREM, Chairman

Holmes moved that House Bill No. 669 be segregated from the Committee of the Whole report and, as amended, that the Committee rise and report and beg leave to sit again.

Motion failed.

Fabrega moved that House Bill No. 709 be segregated from the Committee of the Whole report and, as amended, that the Committee rise and report and beg leave to sit again.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 22, 1975

The following bills and resolution will be signed on adjournment on March 22, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 58, 215, 247, 260, 317, Senate Joint Resolution No. 3.

Edwin A. Smith, Chief Clerk
House of Representatives

Objection raised by Gould to adverse committee report on Senate Bill No. 21. Referred to Second Reading.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 22, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 709 do pass. (53-34)

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 317 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lory, Lund, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Seifert, Sloan, Smith, South, Staigmiller, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 71.

Noes: Bradley, Dussault, Federico, Gilligan, Harper, Johnson, Kemmis, Lester, Lynch, Meloy, Mular, Palmer, Shelden, Stoltz, Vincent. Total 15.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Dassinger, Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 575 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Federico, Gould. Total 2.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, James Moore, Richards, Scully, Thomas, Travis. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 604 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Lynch, Magone, Manuel, Marks, Meloy, Jack Moore, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 70.

Noes: Aageson, Bradley, Dussault, Ellis, Gilligan, Harper, Johnson, Kelly, Lockrem, Lund, Menahan, Mercer, Mular, Murphy, Tropila, Vincent. Total 16.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, James Moore, Richards, Scully, Thomas, Travis. Total 7.

In accordance with Joint Rule 6-28, Senate Bill No. 362 be placed on Second Reading.

MESSAGES FROM THE OTHER HOUSE

March 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate Bills and Senate Joint Resolution were this day concurred in by the Senate:

House Amendments to Senate Bill No. 210

House Amendments to Senate Bill No. 359

House Amendments to Senate Joint Resolution No. 24

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 160, introduced by Kimble, Bradley, et al

House Bill No. 236, introduced by Finley, Jim Moore, et al

House Bill No. 444, introduced by Kimble, Mular, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Resolution were this day read three several times, and concurred in as amended, title and history agreed to, and the said bill and joint resolution are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 555, introduced by Scully

House Joint Resolution No. 28, introduced by Federico, Gunderson, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 82, introduced by Driscoll, Meloy, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Resolutions were this day read three several times, and passed, title and history agreed to, and the said bill and joint resolutions are herewith returned to the House:

House Bill No. 107, introduced by Fabrega, Jack Moore, et al

House Joint Resolution No. 26, introduced by Gilligan, Gunderson

House Joint Resolution No. 47, introduced by Huennekens, Meloy, et al

House Joint Resolution No. 53, introduced by Kemmis, Huennekens

House Joint Resolution No. 58, introduced by Kemmis

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 22, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day on third reading, not concurred in, and the said joint resolution is herewith returned to the House:

House Joint Resolution No. 35, introduced by Lester, Holmes, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 11 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Shelden, Sloan, Smith, South, Staigmillar, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 6.

House Bill No. 191 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Casey, Dassinger, Day, Ellison, Fabrega, Fishbaugh, Fleming, Gilligan, Hageman, Hager, Halvorson, Harper, Helmbrecht, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Seifert, South, Tropila, Underdal, Williams, Wolfe, Mr. Speaker. Total 54.

Noes: Asher, Babcock, Barrett, Bradley, Brand, Conroy, Driscoll, Dussault, Ellerd, Ellis, Federico, Finley, Gerke, Gould, Gunderson, Gwynn, Herlevi, Holmes, Huennekens, Lockrem, Lory, Meloy, Rasmussen, Shelden, Sloan, Smith, Staigmillar, Stoltz, Vincent, Wyrick, Yardley. Total 31.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Guthrie, Luebeck, McFadden, Richards, Scully, Thomas, Travis, Wood. Total 8.

House Bill No. 486 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman,

Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Seifert, Shelden, Sloan, Smith, South, Staigmilller, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 78.

Noes: Bradley, Conroy, Federico, Gunderson, Holmes, Jacobsen, James Moore, Palmer, Stoltz. Total 9.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 6.

House Bill No. 695 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Brand, Smith. Total 2.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Thomas, Travis, Wolfe. Total 7.

House Bill No. 335 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, South, Staigmilller, Stoltz, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 70.

Noes: Bardanouve, Bradley, Driscoll, Federico, Guthrie, Holmes, Huennekens, Mercer, James Moore, Seifert, Shelden, Sloan, Smith, Tropila, Vincent, Yardley. Total 16.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Fleming, Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 7.

House Bill No. 60 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Shelden, Sloan, South, Stoltz, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 71.

Noes: Asher, Casey, Conroy, Ellerd, Ellison, Hubing, Jacobsen, Johnston, Mercer, Seifert, Smith, Staigmiller, Tropila, Underdal, Wood, Wyrick. Total 16.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 6.

House Bill No. 687 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Sloan, South, Staigmiller, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick. Mr. Speaker. Total 69.

Noes: Asher, Bradley, Brand, Ellerd, Ellis, Ellison, Federico, Guthrie, Huennekens, Jacobsen, Johnson, Kvaalen, Lockrem, Shelden, Smith, Stoltz, Yardley. Total 17.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Bardanouve, Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 7.

House Bill No. 265 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Shelden, Sloan, South, Staigmiller, Stoltz, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 71.

Noes: Asher, Ellerd, Fabrega, Federico, Guthrie, Holmes, Hubing, Kvaalen, Marks, Jack Moore, James Moore, Seifert, Smith, Underdal, Wyrick. Total 15.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Huennekens, Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 7.

House Bill No. 698 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Seifert, Sloan, South, Staigmillier, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 75.

Noes: Ellison, Finley, Gunderson, Hageman, Hubing, Lockrem, Mercer, Palmer, Smith, Stoltz, Yardley. Total 11.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Shelden, Thomas, Travis. Total 7.

House Bill No. 53 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Seifert, Shelden, Sloan, Smith, South, Staigmillier, Stoltz, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 80.

Noes: Bardanouve, Brand, Driscoll, Finley, Tropila. Total 5.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Meloy, O'Connell, Richards, Scully, Thomas, Travis. Total 8.

House Bill No. 54 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Shelden, Sloan, Smith, South, Staigmillier, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Finley, Halvorson, Huennekens. Total 3.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Meloy, Richards, Scully, Thomas, Travis. Total 7.

House Bill No. 327 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 84.

Noes: Wyrick. Total 1.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Halvorson, Luebeck, McFadden, Meloy, Richards, Scully, Thomas, Travis. Total 8.

House Bill No. 591 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Smith, South, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 71.

Noes: Bardanouve, Brand, Casey, Ellison, Federico, Herlevi, Holmes, Huennekens, Lester, Lory, James Moore, Shelden, Sloan, Staigmiller, Stoltz, Yardley. Total 16.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 6.

House Bill No. 622 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore,

James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Sloan, South, Staigmiller, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 71.

Noes: Asher, Babcock, Dassinger, Ellison, Fishbaugh, Guthrie, Hager, Hubing, Huennekens, Kvaalen, Mercer, Smith, Wood, Wyrick, Yardley. Total 15.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Shelden, Thomas, Travis. Total 7.

House Bill No. 700 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 81.

Noes: Gunderson, Holmes, Hubing, Smith, Wyrick, Yardley. Total 6.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 6.

House Bill No. 703 passed by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Casey, Day, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Lund, Lynch, Manuel, Marks, Menahan, Mercer, Mular, Murphy, O'Connell, Quilici, Rasmussen, Schye, Sivertsen, Smith, South, Underdal, Williams, Wolfe, Wood, Wyrick. Total 56.

Noes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Federico, Gilligan, Hageman, Harper, Herlevi, Holmes, Huennekens, Johnson, Kemmis, Kvaalen, Magone, Meloy, Jack Moore, James Moore, Palmer, Seifert, Shelden, Sloan, Staigmiller, Stoltz, Tropila, Vincent, Yardley, Mr. Speaker. Total 33.

Paired: Schye, Sivertsen, Ayes; Bradley, Stoltz, Noes.

Excused: Fagg, Kimble, Lien, Robbins, Teague. Total 5.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 6.

House Bill No. 705 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy,

Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Seifert, Shelden, Sloan, South, Staigmler, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 79.

Noes: Asher, R. Baeth, Federico, Magone, Palmer, Smith, Wyrick, Yardley. Total 8.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, McFadden, Richards, Scully, Thomas, Travis. Total 6.

House Bill No. 549 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Seifert, Shelden, Sloan, South, Staigmler, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Brand, Holmes, Huennekens, Jacobsen, Johnson, Palmer, Smith. Total 7.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Luebeck, Lund, McFadden, Richards, Scully, Thomas, Travis. Total 7.

House Bill No. 675 failed by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bradley, Dassinger, Day, Driscoll, Dussault, Ellis, Federico, Fleming, Gilligan, Gould, Gunderson, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kemmis, Kummerfeldt, Lester, Lory, Luebeck, Meloy, Menahan, Jack Moore, James Moore, Murphy, Palmer, Rasmussen, Richards, Scully, Shelden, South, Stoltz, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 44.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Barrett, Bertelsen, Brand, Casey, Conroy, Ellerd, Ellison, Fabrega, Finley, Fishbaugh, Gerke, Guthrie, Gwynn, Halvorson, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kropp, Kvaalen, Lockrem, Lund, Lynch, McFadden, Magone, Manuel, Marks, Mercer, Mular, O'Connell, Quilici, Robbins, Schye, Seifert, Sloan, Smith, Staigmler, Tropila, Underdal, Wood, Wyrick. Total 49.

Excused: Fagg, Kimble, Lien, Sivertsen, Teague. Total 5.

Absent and not voting: Thomas, Travis. Total 2.

Paired: Holmes, Luebeck, Murphy, Richards, Scully, Ayes; Lynch, McFadden, Quilici, Robbins, Schye, Noes.

House Bill No. 709 passed by the following vote:

Ayes: Aageson, C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Federico, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lory, Lynch, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Seifert, Shelden, Sloan, South, Stoltz, Tropila, Vincent, Williams, Wolfe. Total 57.

Noes: J. Anderson, Asher, Babcock, Conroy, Ellerd, Finley, Gerke, Guthrie, Gwynn, Hager, Halvorson, Hubing, Kanduch, Kropp, Kvaalen, Lockrem, Lund, Marks, Mercer, Jack Moore, Smith, Staigmillier, Underdal, Wood, Wyrick, Yardley, Mr. Speaker. Total 27.

Excused: Fagg, Kimble, Lien, Robbins, Schye, Sivertsen, Teague. Total 7.

Absent or not voting: Ellison, Luebeck, McFadden, O'Connell, Rasmussen, Richards, Scully, Thomas, Travis. Total 9.

Driscoll moved that the House adjourn until 1:30 p.m., March 24, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 24, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except McFadden, Quilici, Schye, Thomas, and Smith, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixty-third Legislative Day, find the same to be correct.

JOHNSTON, Vice-Chairman

COMMUNICATIONS AND PETITIONS

Without objection, the Speaker rereferred Senate Bill No. 393 to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

March 24, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 22, 1975: Senate Bills Nos. 58, 215, 247, 260, 317, Senate Joint Resolution No. 3, House Bills Nos. 297, 306, 568, House Joint Resolution No. 42.

Edwin A. Smith, Chief Clerk
House of Representatives

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 411 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Magone, Manuel, Marks, Menahan, Jack Moore, Murphy, O'Connell, Palmer, Robbins, Seifert, Sivertsen, Sloan, Staigmiller, Teague, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 69.

Noes: Bradley, Brand, Dussault, Gunderson, Harper, Holmes, Kemmis, Luebeck, Mular, South, Vincent. Total 11.

Excused: McFadden, Quilici, Schye, Smith, Thomas. Total 5.

Absent or not voting: Fabrega, Fagg, Federico, Huennekens, Lynch, Meloy, Mercer, James Moore, Rasmussen, Richards, Scully, Shelden, Stoltz, Travis, Yardley. Total 15.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 429 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fagg, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lory, Lund, Lynch, Magone, Manuel, Marks, Mercer, Jack Moore, O'Connell, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 59.

Noes: Aageson, Babcock, Barrett, Bradley, Brand, Dussault, Federico, Finley, Gilligan, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Johnson, Kemmis, Kimble, Lester, Luebeck, Menahan, James Moore, Mular, Murphy, Palmer, Richards, Robbins, Stoltz, Teague, Travis, Vincent. Total 30.

Excused: McFadden, Quilici, Schye, Smith, Thomas. Total 5.

Absent or not voting: Fabrega, Huennekens, Lockrem, Meloy, Rasmussen, Scully. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 707 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Palmer, Robbins, Seifert, Shelden, Sivertsen, South, Staigmiller, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 68.

Noes: W. Baeth, Bradley, Brand, Casey, Dussault, Fleming, Harper, Johnson, Kemmis, Kendall, Lester, Luebeck, Mular, Murphy, Richards, Sloan, Teague, Travis, Tropila, Vincent. Total 20.

Excused: McFadden, Quilici, Schye, Smith, Thomas. Total 5.

Absent or not voting: Fabrega, Fagg, Huennekens, Meloy, Rasmussen, Scully, Stoltz. Total 7.

March 24, 1975

I have examined House Bill No. 252 introduced by me and find the same to be correct.

SEIFERT

March 24, 1975

I have examined House Bill No. 464 introduced by me and find the same to be correct.

SLOAN

March 24, 1975

I have examined House Bill No. 509 introduced by me and find the same to be correct.

BENGTSON

March 24, 1975

I have examined House Bill No. 527 introduced by me and find the same to be correct.

MULAR

March 24, 1975

I have examined House Bill No. 180 introduced by me and find the same to be correct.

SOUTH

March 24, 1975

I have examined House Joint Resolution No. 57 introduced by me and find the same to be correct.

KIMBLE

March 24, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 180, 252, 464, 509, 527, House Joint Resolution No. 57.

JOHNSTON, Vice-Chairman

March 24, 1975

The following bills and resolution will be signed on adjournment on March 24, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 180, 252, 464, 509, 527, House Joint Resolution No. 57.

Edwin A. Smith, Chief Clerk
House of Representatives

MOTIONS

Lien moved that Senate Bill No. 208 be taken from Second Reading and be rereferred to the Committee on Agriculture, Livestock and Irrigation.

Motion carried.

Marks moved that the select bipartisan committee of eight representatives requested in House Resolution No. 4 be appointed.

Motion carried.

Gerke moved that Frank Adams, reporter, be barred from the use of the legislative halls for the balance of this biennium.

Motion withdrawn.

Dassinger moved to allow the distribution of material pertaining to Senate Bill No. 87.

Motion carried.

Ellerd excused at this time.

Bertelsen moved to override the Governor's veto of Senate Bill No. 353.

Motion failed, 44 ayes, 46 nays.

Kummerfeldt moved that the House accede to the Senate's request to return House Bill No. 539 to the Senate.

Motion carried.

Driscoll moved that House Bill No. 576 be taken from Second Reading to a time when the long-range building program package is ready for debate.

Motion carried.

Driscoll moved that the Governor's amendatory veto of Senate Bill No. 108 be placed on Second Reading this day.

Motion carried.

Federico moved that Senate Bill No. 203 be taken from Third Reading and be placed on Second Reading.

Motion failed.

Jim Moore moved that consideration of Senate Bill No. 203 on Third Reading be passed for the day.

Motion carried.

THIRD READING OF BILLS

The following bills having had been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 23 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Bardanouve, Dassinger, Kropp, Travis. Total 4.

Senate Bill No. 25 was taken from Third Reading and placed on Second Reading.

Senate Bill No. 32 was concurred in by the following vote:

Ayes: J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lory, Luebeck, Lund, Magone, Marks, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Rasmussen, Richards, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 75.

Noes: Aageson, C. R. Anderson, Casey, Day, Fishbaugh, Guthrie,

Hubing, Kvaalen, Lien, Lockrem, Lynch, Manuel, Mercer, Mular, Robbins, Sivertsen, Wood, Wyrick. Total 18.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Travis. Total 1.

Senate Bill No. 103 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Asher. Total 1.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: None.

Senate Bill No. 120 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Jack Moore. Total 1.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: None.

Senate Bill No. 122 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague,

Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Jack Moore. Total 1.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Luebeck, Travis. Total 2.

Senate Bill No. 140 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Gerke, Gilligan, Gould, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Robbins, Scully, Seifert, Sloan, South, Staigmillier, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Bardanouve, Brand, Fishbaugh, Fleming, Gunderson, Gwynn, Hager, Johnson, Kelly, Kemmis, Lester, Richards, Shelden, Sivertsen, Teague. Total 15.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: James Moore, Travis. Total 2.

Senate Bill No. 161 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Finley. Total 1.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: None.

Senate Bill No. 173 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore,

James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Shelden, Travis. Total 2.

Senate Bill No. 180 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Bardanouve, Bradley, Ellison, Guthrie, Lockrem, Marks, Mercer, Richards. Total 8.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Travis. Total 1.

Senate Bill No. 217 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 90.

Noes: Underdal, Wood, Wyrick. Total 3.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Manuel. Total 1.

Senate Bill No. 255 was concurred in by the following vote:

Ayes: C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, Jack Moore,

James Moore, Mular, Murphy, Palmer, Rasmussen, Richards, Robbins, Scully, Shelden, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Aageson, Brand, Casey, Kendall, Lockrem, Mercer, Seifert, Sivertsen, Sloan. Total 9.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Meloy, O'Connell. Total 2.

Senate Bill No. 268 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bradley, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Babcock, Bardanouve, Bertelsen, Brand, Travis. Total 5.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Bengtson, Conroy, Fabrega, Finley, Lynch. Total 5.

Senate Bill No. 300 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Brand, Ellison, Lockrem, Marks. Total 4.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Meloy. Total 1.

Senate Bill No. 310 was concurred in by the following vote:

Ayes: C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James

Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Shelden, Sloan, South, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, Asher, Babcock, Barrett, Bertelsen, Brand, Casey, Conroy, Day, Ellison, Finley, Fleming, Gwynn, Jacobsen, Kendall, Kropp, Lien, Manuel, Robbins, Scully, Seifert, Sivertsen, Staigmiller, Underdal, Wood, Wyrick. Total 26.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: None.

Senate Bill No. 329 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Shelden, South, Stoltz, Travis, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 67.

Noes: Asher, Babcock, Barrett, Brand, Casey, Conroy, Day, Ellison, Fabrega, Finley, Guthrie, Hageman, Helmbrecht, Jacobsen, Manuel, Marks, Jack Moore, Robbins, Scully, Seifert, Sivertsen, Sloan, Staigmiller, Teague, Tropila, Underdal, Wyrick. Total 27.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: None.

Senate Bill No. 331 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 88.

Noes: Asher, Lockrem, Mercer, Wyrick, Yardley. Total 5.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Ellison. Total 1.

Senate Bill No. 338 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly,

Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: Brand, Fabrega, Fagg, Hubing, Kimble, Jack Moore, Seifert. Total 7.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: None.

Senate Bill No. 339 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Staigmiller. Total 1.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Ellison. Total 1.

Senate Bill No. 352 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Day. Total 1.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: None.

Senate Bill No. 354 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie,

Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Rasmussen, Robbins, Scully, Seifert, Shelden, Sivertsen, South, Staigmilller, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 86.

Noes: Bradley, Fleming, Jack Moore, Mular, Richards, Sloan, Stoltz. Total 7.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Palmer. Total 1.

Senate Bill No. 355 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lund, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Rasmussen, Robbins, Scully, Seifert, Sivertsen, Sloan, South, Staigmilller, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Day, Fishbaugh, Guthrie, Gwynn, Lockrem, Luebeck, Marks, James Moore, Palmer, Richards, Shelden, Stoltz. Total 12.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Ellison. Total 1.

Senate Bill No. 364 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: None.

Senate Bill No. 367 was concurred in by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hager,

Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Magone, Meloy, Menahan, Mercer, James Moore, Palmer, Rasmussen, Richards, Shelden, Sloan, South, Stoltz, Travis, Vincent, Williams, Wood, Yardley, Mr. Speaker. Total 58.

Noes: Aageson, J. Anderson, Asher, Babcock, Barrett, Bradley, Brand, Casey, Day, Ellison, Fabrega, Gould, Guthrie, Hageman, Helmbrecht, Jacobsen, Kemmis, Kendall, Kvaalen, Lynch, Manuel, Marks, Jack Moore, Mular, Murphy, O'Connell, Robbins, Scully, Seifert, Sivertsen, Staigmler, Teague, Tropila, Underdal, Wolfe, Wyrick. Total 36.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: None.

Senate Bill No. 374 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 72.

Noes: Asher, Babcock, Casey, Fabrega, Gould, Guthrie, Hubing, Johnston, Kendall, Kropp, Kvaalen, Lockrem, Manuel, Marks, Mercer, Jack Moore, Robbins, Staigmler, Wood, Wyrick. Total 20.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Herlevi, Lund. Total 2.

Senate Bill No. 379 was concurred in by the following vote:

Ayes: C.R. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Harper, Helmbrecht, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, Magone, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, J. Anderson, Asher, Babcock, Bengtson, Casey, Conroy, Day, Ellison, Finley, Fishbaugh, Gould, Gwynn, Hageman, Hager, Halvorson, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kropp, Lien, Lund, Manuel, Jack Moore, Rasmussen, Robbins, Staigmler, Stoltz, Underdal. Total 31.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: James Moore. Total 1.

Senate Bill No. 387 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg,

Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley. Total 86.

Noes: Hubing, Kvaalen, O'Connell, Wood, Wyrick, Mr. Speaker. Total 6.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Ellison, Travis. Total 2.

Senate Joint Resolution No. 22 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassingier, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, Magone, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 76.

Noes: Babcock, Brand, Ellison, Gerke, Gould, Guthrie, Kropp, Kvaalen, Lien, Lockrem, Marks, Mercer, Jack Moore, Underdal, Wood, Wyrick. Total 16.

Excused: Ellerd, McFadden, Quilici, Schye, Smith, Thomas. Total 6.

Absent or not voting: Kendall, Manuel. Total 2.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Jim Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 24, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 5 be amended as follows:

1. Amend page 26, section 30, subsection (1), line 12.
Following: "modified"
Insert: "by a court"
2. Amend page 26, section 30, subsection (1), line 13.
Following: "and"

Strike: "only"

Insert: "either: (a)"

3. Amend page 26, section 30, subsection (1), line 15.

Following: "unconscionable"

Strike: "except by"

Insert: "; or (b) upon"

4. Amend page 26, section 30, subsection (1), line 17.

Following: "modified"

Insert: "by a court"

5. Amend page 26, section 30, subsection (1), line 17.

Following: "except"

Insert: "."

6. Amend page 26, section 30, subsection (1), line 18.

Strike: "by"

Insert: "(a) upon"

7. Amend page 26, section 30, subsection (1), line 18.

Following: "or"

Strike: "unless"

Insert: "(b) if" (63-0)

And as amended, be concurred in. (62-11)

Helmbrecht in the Chair. Moore resumes the Chair.

That Senate Bill No. 21 be not concurred in. (52-39)

That Senate Bill No. 27 be concurred in. (64-31)

That Senate Bill No. 31 be passed for the day.

That Senate Bill No. 223 be concurred in. (88-0)

That Senate Bills Nos. 86 and 87 be passed for the day.

That Senate Bill No. 91 be not concurred in. (47-40)

That the Committee rise and report.

JIM MOORE, Chairman

Meloy moved that Senate Bill No. 27 be segregated from the Committee of the Whole report.

Motion carried.

Bengtson moved that Senate Bill No. 91 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 24, 1975

I have examined House Joint Resolution No. 62 introduced by me and find the same to be correct.

RICHARDS

March 24, 1975

I have examined House Bill No. 551 introduced by me and find the same to be correct.

W. BAETH

March 24, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution correctly enrolled: House Joint Resolution No. 62, House Bill No. 551.

JOHNSTON, Vice-Chairman

March 24, 1975

The following bill and resolution will be signed on adjournment on March 24, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 62, House Bill No. 551.

Edwin A. Smith, Chief Clerk
House of Representatives

March 24, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 289, respectfully report as follows: That Senate Bill No. 289 be not concurred in.

YARDLEY, Chairman

March 24, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 298, respectfully report as follows: That Senate Bill No. 298 be not concurred in.

YARDLEY, Chairman

March 24, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 319, respectfully report as follows: That Senate Bill No. 319 be concurred in.

YARDLEY, Chairman

Report adopted.

March 24, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 295, respectfully report as follows: That Senate Bill No. 295 be concurred in.

YARDLEY, Chairman

Report adopted.

March 24, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 308, respectfully report as follows: That Senate Bill No. 308 be concurred in.

YARDLEY, Chairman

Report adopted.

March 24, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 29, respectfully report as follows: That Senate Bill No. 29 be amended in the Third Reading copy as follows:

1. Amend in the title, page 1, line 6.

Following: "[year]"

Strike: "nine (9) months old"

Insert: "a certain age"

2. Amend page 4, section 1 (5), lines 4 through 7.

Strike: subsection (5) in its entirety.

Insert: new subsections (5) and (6).

"(5) All nonperishable unprocessed agricultural products except live-stock, held in possession of the original producer for less than six (6) months following harvest.

(6) Livestock, defined as cattle, sheep, horses, or mules, which have not attained the age of nine (9) months as of the last day of any month."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

YARDLEY, Chairman

Report adopted.

March 24, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 342, respectfully report as follows: That Senate Bill No. 342 be amended in the Third Reading copy as follows:

1. Amend page 14, section 4 (4), lines 1 through 3.

Strike: subsection (4) in its entirety.

Insert: new subsection (4) as follows:

"(4) Livestock, defined as cattle, sheep, horses, or mules, which have not attained the age of nine (9) months as of the last day of any month."

And as amended, be concurred in.

YARDLEY, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 24, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 33, 76, 102, 116, 118, 175, 178, 220, 258, 283, 304, 345, 352, 365, 375, 383, 473, 481, 501, 535, and 536.

Sincerely,

THOMAS L. JUDGE
Governor

March 24, 1975

The Honorable Gordon McOmber
President of the Senate

State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 37 and 160.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Conroy moved that Senate Bills Nos. 86 and 87 be considered on Second Reading on the Sixty-sixth Legislative Day. Conroy requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Day, Driscoll, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Scully, Seifert, Sivertsen, Staigmilller, Teague, Tropila, Underdal, Wood, Wyrick, Mr. Speaker. Total 62.

Noes: R. Baeth, W. Baeth, Bardanouve, Bradley, Dassinger, Dussault, Fagg, Federico, Gunderson, Hageman, Harper, Helmbrecht, Holmes, Huennekens, Johnson, Kemmis, Kendall, Kimble, Lester, Luebeck, Meloy, James Moore, Palmer, Richards, Shelden, Sloan, South, Stoltz, Vincent, Williams, Wolfe, Yardley. Total 32.

Paired: Quilici, Aye; James Moore, No.

Excused: Ellerd, McFadden, Schye, Smith, Thomas. Total 5.

Absent or not voting: Travis. Total 1.

Driscoll moved that the House adjourn until 10:00 a.m., March 25, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 25, 1975

House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn, Pastor of the Little Church.

Pledge of Allegiance to the Flag.

Roll call. All members present except Kanduch, Holmes, McFadden and Schye, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixty-fourth Legislative Day, find the same to be correct.

JOHNSTON, Vice-Chairman

REPORTS OF STANDING COMMITTEES

March 25, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 24, 1975: House Bills Nos. 180, 252, 464, 509, 551, 527, House Joint Resolutions Nos. 57, 62.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 364, introduced by Bengtson, South, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 246, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, as amended, indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 408, introduced by Johnson, Brand, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 86, introduced by Lester, Jack Moore, et al

House Bill No. 247, introduced by Harper, Gunderson

House Bill No. 313, introduced by Yardley

House Bill No. 358, introduced by Bengtson, Halvorson, et al

House Bill No. 454, introduced by Bardanouve

House Bill No. 513, introduced by Finley, Gunderson, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 592, introduced by Mercer

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Third Reading, not concurred in as amended, and the said bill is herewith returned to the House:

House Bill No. 351, introduced by Holmes, Palmer et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate Bills were this day concurred in by the Senate:

House Amendments to Senate Bill No. 38

House Amendments to Senate Bill No. 158

House Amendments to Senate Bill No. 237

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 665, introduced by Bardanouve, Meloy, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 8, introduced by Stoltz, Yardley

House Bill No. 45, introduced by Gunderson, Dussault, et al

House Bill No. 218, introduced by Menahan, Dussault

House Bill No. 290, introduced by Huennekens, Driscoll, et al

House Bill No. 471, introduced by Kimble

House Bill No. 507, introduced by Kendall

House Bill No. 571, introduced by Hager, Fagg

House Bill No. 586, introduced by Babcock, Marks, et al

House Bill No. 643, introduced by Bardanouve, Lund, et al

House Bill No. 699, introduced by Bardanouve, Gerke, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved to rerefer Senate Bill No. 25 to Third Reading.

Motion carried.

Kimble moved to rerefer Senate Bill No. 246 to the Committee on Labor and Employment Relations.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Mercer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Manuel, Ellis, Wood and Wolfe excused at this time.

March 25, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Senate Bill No. 27 be passed below Senate Bill No. 104 on the board.

That Senate Bill No. 29 be concurred in. (79-3)

That Senate Bill No. 31 be passed below Senate Bill No. 227 on the board.

That Senate Bill No. 91 be passed below Senate Bill No. 123 on the board.

That Senate Bill No. 93 be concurred in. (78-0)

That Senate Bill No. 96 be concurred in. (78-0)

That Senate Bill No. 97 be concurred in. (50-30)

That Senate Bill No. 104 be concurred in. (77-1)

That Senate Bill No. 27 be placed below Senate Bill No. 125 on the board.

That Senate Bill No. 112 be amended as follows:

1. Amend title, page 1, line 8.

Following: "accident,"

Strike: "and"

2. Amend title page 1, line 11.

Following: "accident"

Insert: ", and to increase property damage limit from five thousand dollars to ten thousand dollars" (68-3)

Holmes present at this time.

And be further amended:

3. Amend page 2, section 1, subsection 1, line 18.

Following: "and"

Strike: "five thousand dollars (\$5,000)"

Insert: "ten thousand dollars (\$10,000)" (71-0)

And as amended, be concurred in. (76-3)

That Senate Bill No. 123 be passed to the bottom of the board.

That Senate Bill No. 91 be amended as follows:

1. Amend page 6, section 1, line 12.

Strike: "thirty thousand dollars (\$30,000)"

Insert: "twenty-seven thousand five hundred dollars (\$27,500)"

2. Amend page 7, section 1, lines 3 through 6.

Following: "more than"

Strike: "seven thousand five hundred dollars (\$7,500)"

Insert: "six thousand dollars (\$6,000) for a single person and six thousand eight hundred dollars (\$6,800) for a married couple" (78-2)

And as amended, be concurred in. (87-2)

That Senate Bill No. 125 be not concurred in. (59-36)

That the Committee rise and report, and beg leave to sit again.

MERCER, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 25, 1975

I have examined House Joint Resolution No. 54 introduced by me and find the same to be correct.

DAY

March 25, 1975

I have examined House Bill No. 659 introduced by me and find the same to be correct.

SHELDEN

March 25, 1975

I have examined House Bill No. 623 introduced by me and find the same to be correct.

FINLEY

March 25, 1975

I have examined House Bill No. 590 introduced by me and find the same to be correct.

KIMBLE

March 25, 1975

I have examined House Bill No. 522 introduced by me and find the same to be correct.

FABREGA

March 25, 1975

I have examined House Bill No. 485 introduced by me and find the same to be correct.

BRAND

March 25, 1975

I have examined House Bill No. 337 introduced by me and find the same to be correct.

MURPHY

March 25, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Bills Nos. 337, 485, 522, 590, 623, 659, House Joint Resolution No. 54.

JOHNSTON, Vice-Chairman

March 25, 1975

The following bills and resolution will be signed on adjournment on March 25, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 337, 485, 522, 590, 623, 659, House Joint Resolution No. 54.

Edwin A. Smith, Chief Clerk
House of Representatives

March 18, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 4, respectfully report as follows:

The Judiciary Committee has acted in accord with the direction contained in the report of the Rules Committee of March 11, 1975 and the minutes of the committee meeting that produced that report.

The Judiciary Committee held a formal hearing March 18, 1975, followed by an executive session.

The Judiciary Committee finds that: The House, through a Select Committee appointed in accord with House Resolution No. 4, has the authority to investigate; and if the House finds there is sufficient reason to punish one or more of its members, it does have that authority. Ten members voted aye, six members voted no on this motion.

The Judiciary Committee further recommends to the Committee of the Whole that a Select Committee be appointed to investigate the merits, if any, of the allegations contained in House Resolution No. 4. Twelve members voted aye, four voted no on this motion.

HUENNEKENS, Chairman

Report adopted.

March 25, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 393, respectfully report as follows: That Senate Bill No. 393 be amended in the Third Reading bill as follows:

1. Amend page 2, section 1, subsection (6), line 13.

Following: "elect"

Strike: "two (2)"

Insert: "one (1)"

2. Amend page 2, section 2, line 18.

Following: "any"

Insert: "department,"

3. Amend page 2, section 2, line 18.

Following: "agency"

Insert: ", board or commission"

4. Amend page 2, section 3, line 25.

Following: "committee"

Strike: "may employ"

Insert: "is authorized to utilize the"

5. Amend page 3, section 3, line 1.

Following: "personnel"

Insert: "of the legislative council"

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 24, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 78, respectfully report as follows: That Senate Bill No. 78 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 13.

Following: "contributions"

Insert: "for all elections in a campaign"

2. Amend page 1, section 1, line 13.

Following: "by"

Strike: "a person"

Insert: "an individual"

3. Amend page 1, section 1, following line 15.

Insert: a new subsection (a) to read as follows:

"(a) for candidates filed jointly for the office of governor and lieutenant governor, not to exceed fifteen hundred dollars (\$1500);"

Reletter: subsequent subsections.

4. Amend page 1, section 1, subsection (a), lines 18 and 19.

Following: "exceed"

Strike: "four thousand dollars (\$4,000) in all elections in a campaign"

Insert: "seven hundred fifty dollars (\$750)"

5. Amend page 1, section 1, subsection (b), lines 20 through 23.

Strike: subsection (b) in its entirety.

Reletter: subsequent subsections.

6. Amend page 1, section 1, subsection (c), lines 24 and 25.

Following: "candidate for"

Strike: "state district office, including but not limited to candidates for the legislature,"

7. Amend page 2, section 1, present subsection (c), line 1.

Following: "commission"

Strike: "and district court judge,"

8. Amend page 2, section 1, subsection (c), lines 2 and 3.

Following: "(\$400)"

Strike: "in all elections in a campaign; and"

Insert: ";

9. Amend page 2, section 1, following line 3.

Insert: new subsections (d) and (e) to read as follows:

"(d) for a candidate for district court judge, not to exceed three hundred dollars (\$300);

(e) for a candidate for the legislature, not to exceed two hundred fifty dollars (\$250);"

Reletter: subsequent subsection.

10. Amend page 2, section 1, present subsection (d), lines 5 and 6.

Following: "(200)"

Strike: "in all elections in a campaign"

11. Amend page 2, section 1, following line 6.

Insert: a new subsection (2) (a) and its parts.

"(2) (a) An independent committee means a committee which is not controlled either directly or indirectly by a candidate or candidate's committee, and which does not act jointly with a candidate or candidate's committee in conjunction with the making of expenditures or accepting contributions. Aggregate contributions by an independent committee to a candidate or to political committees organized on his behalf for all elections in a campaign are limited as follows:

(i) for candidates filed jointly for the offices of governor and lieutenant governor, not to exceed eight thousand dollars (\$8,000);

(ii) for a candidate to be elected for state office in a statewide election, other than the candidates for governor and lieutenant governor, not to exceed two thousand dollars (\$2,000);

(iii) for a candidate for public service commissioner, not to exceed one thousand dollars (\$1,000);

(iv) for a candidate for district court judge, not to exceed two hundred fifty dollars (\$250);

(v) for a candidate for the legislature, not to exceed two hundred fifty dollars (\$250);

(vi) for a candidate for city or county office, not to exceed two hundred dollars (\$200);

(b) An independent committee may not accept, for purposes of political contributions to a candidate or a candidate's committee, more than one hundred fifty dollars (\$150) in the aggregate from an individual during a calendar year.

(c) A contribution made by an independent committee to a candidate or candidate's committee shall be accompanied by an affidavit signed by the committee treasurer which certifies that the contribution does not include funds contributed in violation of subsection (b) of this section."

12. Amend page 2, section 1, subsection (2), line 7.

Strike: "(2)"

Insert: "(3) (a)"

13. Amend page 2, section 1, subsection (2), line 9.

Following: "limited"

Insert: "for all elections in a campaign"

14. Amend page 2, section 1, present subsection (2) (a), line 9.

Strike: "(a)"

Insert: "(i)"

15. Amend page 2, section 1, subsection (2) (a), line 13.

Following: "(\$6,000)"

Strike: "in all elections in a campaign"

16. Amend page 2, section 1, subsection (b), line 14.

Strike: "(b)"

Insert: "(ii)"

17. Amend page 2, section 1, present subsection (b), line 14.

Following: "for"

Strike: "the"

18. Amend page 2, section 1, present subsection (b), line 14.

Following: "candidates"

Insert: "filed jointly"

19. Amend page 2, section 1, present subsection (b), line 14.

Following: "candidates for"

Insert: "the offices of"

20. Amend page 2, section 1, present subsection (b), line 15.

Following: "exceed"

Strike: "[nine] ten"

Insert: "nine"

21. Amend page 2, section 1, present subsection (b), lines 15 and 16.

Following: "dollars"

Strike: "[(\$9,000)] (\$10,000)"

Insert: "(\$9,000)"

22. Amend page 2, section 1, present subsection (b), lines 16 and 17.

Following: "combined"

Strike: "in all elections in a campaign"

23. Amend page 2, section 1, present subsection (c), line 18.

Strike: "(c)"

Insert: "(iii)"

24. Amend page 2, section 1, present subsection (c), line 21.

Following: "exceed"

Strike: "[five hundred] one thousand"

Insert: "five hundred"

25. Amend page 2, section 1, present subsection (c), line 21.

Following: "dollars"

Strike: "[(\$500)] (\$1,000)"

Insert: "(\$500)"

26. Amend page 2, section 1, present subsection (d), line 25.

Strike: "(d)"

Insert: "(iv)"

27. Amend page 2, section 1, present subsection (d), line 24.

Following: "exceed"

Strike: "[three] five"

Insert: "three"

28. Amend page 2, section 1, present subsection (d), line 24.

Following: "dollars"

Strike: "[(\$300)] (\$500)"

Insert: "(\$300)"

29. Amend page 3, section 1, subsection (3), line 1.

Strike: "(3)"

Insert: "(b)"

30. Amend page 3, section 1, present subsection (3), lines 2 and 3.

Following: "candidate's spouse,"

Strike: "any minor child, mother, father, mother-in-law, and father-in-law"

Insert: "and the candidate's and his spouse's ascendants, descendants, brothers, sisters, uncles, aunts, nephews, nieces and their spouses"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

HUENNEKENS, Chairman

Report adopted.

March 25, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 253, respectfully report as follows: That Senate Bill No. 253 be concurred in.

BARDANOUE, Chairman

Report adopted.

March 25, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 254, respectfully report as follows: That Senate Bill No. 254, The appropriation committee concurs in the Highways and Transportation Committee's amendment to the Third Reading as follows:

1. Amend page 1, section 1, subsection (b), line 25.

Following: "vehicle"

Insert: "and, persons driving farm trucks or hauling farm products for producers of said farm products who drives any vehicle forty-eight thousand (48,000) pounds gross weight or less"

And as amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

March 25, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 252, respectfully report as follows: That Senate Bill No. 252 be concurred in.

BARDANOUE, Chairman

Report adopted.

House recessed.

House resumed. Mr. Speaker in the Chair.

Manuel, Ellis, Wolfe and McFadden present at this time.

MESSAGES FROM THE GOVERNOR

March 25, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill No. 338, "An act amending Sections 84-5211, 84-5212, 84-5214, and 84-5215, R.C.M. 1947, to update archaic language and to increase the maximum permissible limits of the special levies on livestock used to fund the Department of Livestock" without my signature and recommend the following amendments.

In exercising this amendatory veto, I must emphasize that I support raising the levies for the Department of Livestock. However, as enrolled, the bill violates the principles of the Executive Reorganization Act. The amendments that I am recommending would simply make the legislation conform to the basic principles of executive reorganization. House Bill No. 338 refers on several occasions to the divisions that have been administratively created within the Department of Livestock. Earlier this session I indicated that I would oppose any attempts to codify administratively created divisions within departments. Therefore, the amendments that I am suggesting will simply delete reference to the divisions of the Department of Livestock and substitute the word "functions". In this manner the Department will be free to reorganize in the future without having to resort to the introduction of legislation to change the name of the divisions.

I thank you for your careful consideration of this matter.

Sincerely,

THOMAS L. JUDGE
Governor

1. Amend page 1, section 1, line 19.

Following: "brands-enforcement"

Strike: "division"

Insert: "functions"

2. Amend page 1, section 1, line 24.

Following: "health"

Strike: "division"

Insert: "functions"

3. Amend page 2, section 2, line 25.

Following: "brands-enforcement"

Strike: "division"

Insert: "functions"

4. Amend page 3, section 2, line 8.

Following: "used"

Strike: "by"

Insert: "for"

5. Amend page 3, section 2, line 9.

Following: "health"

Strike: "division"

Insert: "functions"

Received from the Governor's office March 25, 1975.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the

Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Mercer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 25, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 27 be not concurred in. (55-40)

That Senate Bill No. 130 be concurred in. (84-0)

That Senate Bill No. 134 be concurred in. (76-8)

That Senate Bill No. 143 be concurred in. (73-9)

That Senate Bill No. 179 be concurred in. (86-1)

Lockrem replaces Mercer in the Chair.

That Senate Bill No. 186 be concurred in. (83-0)

Seifert replaces Lockrem in the Chair.

Mercer resumes the Chair.

That Senate Bill No. 192 be amended as follows:

1. Amend page 5, section 9, subsection (2), line 8.
Strike: all material after "value." in subsection (2). (48-46)

And be further amended:

2. Amend page 3, section 5, subsection (3), line 5.
Following: "revenue and"
Insert: "shall not include any terms of the sale other than sales price."
Strike: "t" on "the"
Insert: "T" on "the" (48-43)

And as amended, be concurred in. (62-35)

That the Committee rise and report and beg leave to sit again.

MERCER, Chairman

Report adopted.

COMMUNICATIONS AND PETITIONS

March 25, 1975

Mr. Edwin A. Smith
Chief Clerk
House of Representatives

Re: Appointment of Select Committee
Pursuant to House Resolution No. 4

Dear Mr. Smith:

The Standing Committee Report dated March 18, 1975, of the Judiciary Committee stated in part:

"The Judiciary Committee finds that: The House, through a Select

Committee appointed in accord with House Resolution No. 4, has the authority to investigate; and if the House finds there is sufficient reason to punish one or more of its members, it does have that authority."

"The Judiciary Committee further recommends to the Committee of the Whole that a Select Committee be appointed to investigate the merits, if any, of the allegations contained in House Resolution No. 4."

This Legislative Assembly has charged me with the duty to appoint a Select Committee consisting of four Democrats and four Republicans to look into the merits of the allegations contained in House Resolution No. 4. This issue is unprecedented in the State of Montana.

The matter is of serious consequence, and an awesome burden is about to be placed on the members of this Select Committee. I interviewed those members of the House of Representatives whom I am about to appoint to this Select Committee. I have placed the following qualifications on anyone who would be considered for membership on the Committee.

1. That no member of the Legislature was involved either in causing the alleged actions or was the object of the acts as alleged in House Resolution No. 4.

2. That they have no preconceived judgement, one way or the other, concerning the allegations.

3. That the members would reserve judgement on the allegations until they have heard and weighed the evidence and would then make their decision based on the evidence and testimony, free from any partisan politics.

4. That their decision would be based on fairness and justice.

5. That the members of the Select Committee do not serve on the Rules Committee or the Judiciary Committee, since both of these Committees have already participated in decisions affecting House Resolution No. 4.

Each of the Representatives mentioned below meet these qualifications. Accordingly, I hereby appoint the following Representatives to the Select Committee to investigate the merits, if any there be, of the allegations contained in House Resolution No. 4.

1. Joe Brand, Chairman, Deer Lodge, Democrat
2. Harrison C. Fagg, Vice Chairman, Billings, Republican
3. Carroll V. South, Miles City, Democrat
4. Howard L. Ellis, Missoula, Republican
5. Ann Mary Dussault, Missoula, Democrat
6. Fred O. Barrett, Lewistown, Republican
7. John Murphy, Stanford, Democrat
8. Verner L. Bertelsen, Ovando, Republican

Sincerely,

Pat McKittrick
Speaker of the House

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 25, 1975

The following bills will be signed on adjournment on March 25, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 56, 121, 138, 231, 292, 321.

Edwin A. Smith, Chief Clerk
House of Representatives

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 289 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Dassinger, Day, Dussault, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gould, Guthrie, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Jacobsen, Johnston, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lory, Luebeck, Lund, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Rasmussen, Robbins, Scully, Sivertsen, Smith, South, Staigmillier, Tropila, Williams, Wyrick, Mr. Speaker. Total 55.

Noes: Casey, Federico, Sloan, Teague, Thomas, Underdal, Wood. Total 7.

Excused: Kanduch, Schye. Total 2.

Absent or not voting: Babcock, Brand, Conroy, Driscoll, Ellerd, Ellis, Fagg, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Holmes, Hubing, Huennekens, Johnson, Kelly, Kvaalen, Lester, Lien, Lockrem, Lynch, McFadden, Marks, Jack Moore, Mular, Palmer, Quilici, Richards, Seifert, Shelden, Stoltz, Travis, Vincent, Wolfe, Yardley. Total 36.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 298 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Day, Dussault, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gould, Guthrie, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Lien, Lory, Luebeck, Lund, Magone, Manuel, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 71.

Noes: Richards. Total 1.

Excused: Kanduch, Schye. Total 2.

Absent or not voting: Brand, Conroy, Dassinger, Driscoll, Ellerd, Ellis, Fagg, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Holmes, Kendall, Kvaalen, Lester, Lockrem, Lynch, McFadden, Marks, Jack Moore, Mular, Palmer, Shelden, Travis, Wolfe. Total 26.

MESSAGES FROM THE GOVERNOR

March 25, 1975

The Honorable Pat McKittrick
Speaker of the House
of Representatives

State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 71, 188, 241, 261, 293, 308, 328, 336, 355, 381, 384, 386, 388, 397, 399, 448, 484, 497, 498, 499, 500, 508, 530, 618, 631 and 661.

Sincerely,

THOMAS L. JUDGE
Governor

March 25, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 7, 89, 102, 114, 145, 146, 147, 257, 283, 293 and 301.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Meloy moved that consideration of Senate Bill No. 227 on Second Reading be passed until the Sixty-seventh Legislative Day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Mercer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 25, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 201 be concurred in. (90-2)

That Senate Bill No. 206 be concurred in. (45-42)

That Senate Bill No. 31 be concurred in. (69-28)

That Senate Bill No. 250 be concurred in. (83-4)

That Senate Bill No. 264 be amended as follows:

1. Amend page 4, section 3 (1) (f), line 25.
Following: "lessee"

Insert: “, provided any consideration received for lease of the lands shall include an amount equal to the sum realized from the application of levies under sections 75-6912, 75-6913, and 84-3804, R.C.M. 1947, to forty percent (40%) of the full and true value of the lands so leased, and provided further, the county shall pay the equivalent sums as specified in sections 75-6912, 75-6913, and 84-3804, R.C.M. 1947, as if the property leased were taxable property” (74-6)

And be further amended:

2. Amend page 10, section 5, line 3.

Following: “dedicated to the”

Insert: “county for” (82-0)

And as amended, be concurred in. (82-2)

That the Committee rise and report.

MERCER, Chairman

Jack Moore moved that Senate Bill No. 31 be segregated from the Committee of the Whole report.

Motion carried.

Jim Moore moved that Senate Bill No. 206 be segregated from the Committee of the Whole report and, as amended, be adopted.

Motion carried.

MESSAGE FROM THE GOVERNOR

March 25, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor, I return Senate Bill No. 340, “An act to exempt the employees and staff of the School for the Deaf and Blind from the classification and compensation plan; amending Section 59-904, R.C.M. 1947”, without my signature and recommend the following amendment.

In exercising this amendatory veto, I emphasize that I partially support the rationale behind Senate Bill No. 340. The bill, as enrolled, excludes all employees of the School for the Deaf and Blind from the provisions of the Classification and Compensation Act. Discussion of the bill with members of the State Board of Education, the Superintendent of the School for the Deaf and Blind and the sponsor, indicates that the major purpose of the bill is to enable the School to compete for teachers in the job market. Teachers are hired under individual contracts which are based upon a salary matrix recognizing education and experience, as is the case with all Montana schools. To be competitive, the School for the Deaf and Blind must recruit teachers under the same type of salary system. This unique problem was recognized in the law where academic personnel in the university system, with individual contracts, are exempt from the Classification and Compensation Act in Section 59-904(7), R.C.M. 1947.

However, nonacademic personnel of the university system do fall under the Classification and Compensation Act. The same should apply to the nonacademic personnel in the School for the Deaf and Blind. A secretary or custodian in the school should receive a salary commensurate with those who perform similar functions in other Departments of state government. Therefore, my amendatory veto is designed to exempt the academic and professional administrative personnel of the School for the Deaf and Blind while providing equitable salaries for the nonacademic personnel in comparison with the rest of state government.

I ask for your concurrence in this amendment.

Sincerely,

THOMAS L. JUDGE
Governor

1. Amend page 2, section 1, line 8.

Following: "(8)"

Strike: "the employees and staff of the state school for the deaf and blind whose compensation and qualifications are determined by the board of public education under section 80-104"

Insert: "academic and professional administrative personnel who have entered into individual contracts with the state school for the deaf and blind under the authority of the state board of public education"

MESSAGES FROM THE OTHER HOUSE

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 190, introduced by Lund, Casey

House Bill No. 470, introduced by Kimble, Stoltz, et al

House Bill No. 491, introduced by Jim Moore, Bradley, et al

House Bill No. 608, introduced by Barrett, Guthrie, et al

House Bill No. 628, introduced by Kemmis, Huennekens, et al

House Bill No. 655, introduced by Dussault, Fabrega, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read three several times, and passed, title and history agreed to, and the said resolution is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 30, introduced by Flynn, Graham, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and passed, title and history agreed to, and the said bills and joint resolution are herewith returned to the House:

House Bill No. 353, introduced by Dussault, Fagg, et al

House Bill No. 624, introduced by Finley, Gunderson, et al

House Bill No. 638, introduced by Ellis, Johnson, et al

House Joint Resolution No. 4, introduced by Lester, Travis, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 44, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, was this day read three several times, and failed to receive a two-thirds affirmative vote of the legislature, and is herewith returned to the House with the following vote:

HOUSE OF REPRESENTATIVES

SENATE

YEAS - 68

YEAS - 25

NAYS - 31

NAYS - 25

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 113, introduced by Dassinger, Yardley, et al

House Bill No. 144, introduced by Johnson, Ellis, et al

House Bill No. 389, introduced by Sivertsen, Aageson

House Bill No. 637, introduced by Holmes, Huennekens, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Seifert moved that the House request the Senate to return Senate Bill

No. 21 to the House and that the House reconsider its action of the previous legislative day in failing to pass Senate Bill No. 21 on Second Reading.

Motion carried.

Meloy moved that the House accede to the request of the Senate and return House Bill No. 540 to the Senate.

Motion carried.

Driscoll moved that the Governor's amendatory veto of House Bill No. 338 be placed on Second Reading on the Sixty-eighth Legislative Day.

Motion carried.

Driscoll moved that the Governor's amendatory veto of Senate Bill No. 340 be placed on Second Reading on the Sixty-eighth Legislative Day.

Motion carried.

Driscoll moved that the House extend the deadline for accepting Senate Amendments to House Bills to an indefinite date.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 61 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Ellerd, Gould, Guthrie, Hubing, Smith, Wood. Total 6.

Excused: Kanduch, Schye, Total 2.

Absent or not voting: Lester, Robbins. Total 2.

Senate Bill No. 76 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 67.

Noes: C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Ellerd, Ellison, Fabrega, Guthrie, Gwynn, Hubing, Johnston, Kropp, Kvaalen, Lien, Lockrem, Lund, Marks, Mercer, Jack Moore, Seifert, Sivertsen, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 29.

Excused: Kanduch, Schye. Total 2.

Absent or not voting: Halvorson, Lester. Total 2.

Senate Bill No. 203 was concurred in by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fleming, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Kummerfeldt, Lory, Luebeck, Lynch, McFadden, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, South, Stoltz, Teague, Thomas, Travis, Vincent, Wolfe, Yardley, Mr. Speaker. Total 53.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Barrett, Casey, Conroy, Day, Ellerd, Ellison, Fabrega, Fishbaugh, Gerke, Gould, Guthrie, Gwynn, Hager, Hubing, Jacobsen, Johnston, Kendall, Kropp, Kvaalen, Lien, Lockrem, Lund, Manuel, Marks, Mercer, Jack Moore, O'Connell, Schye, Seifert, Sivertsen, Sloan, Smith, Staigmiller, Tropila, Underdal, Williams, Wood, Wyrick. Total 44.

Paired: Meloy, Aye; Schye, No.

Excused: Kanduch. Total 1.

Absent or not voting: Lester, Magone. Total 2.

Senate Bill No. 235 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Brand, Guthrie. Total 2.

Excused: Kanduch, Schye. Total 2.

Absent or not voting: Kummerfeldt, Lester, Travis. Total 3.

Senate Bill No. 25 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly,

Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 90.

Noes: Asher, Day, Ellerd, Guthrie, Smith, Wood, Wyrick. Total 7.

Excused: Kanduch, Schye. Total 2.

Absent or not voting: Lester. Total 1.

Driscoll moved that the House adjourn until 10:00 a.m., March 26, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 26, 1975

House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Day, Lester, and Shelden, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 26, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on March 25, 1975: House Bills Nos. 337, 485, 522, 590, 623, 659, House Joint Resolution No. 54, Senate Bills Nos. 56, 121, 138, 231, 292, 321.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 397, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 397.

The President appointed the following members:

Senator Murphy, Chairman
Senator Turnage
Senator Manley

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 635, introduced by Hubing, South

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 450, introduced by Johnson, Palmer, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 496, introduced by Jim Moore

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 25, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Rules Committee, in accordance with Article VIII, Section 6 (2), of the Montana Constitution, ruled that House Bill No. 254 was improperly transmitted to the Senate, report adopted, and the said bill is herewith returned to the House:

House Bill No. 254, introduced by Fagg, Kemmis, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Dussault moved that Senate Bill No. 378 be taken from Second Reading and be referred to the Committee on Appropriations.

Motion carried.

Jack Moore moved that consideration of Senate Bill No. 31 on Second Reading be passed this legislative day.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint a Joint Conference Committee to meet with a like committee from the Senate to confer on House Amendments to Senate Bill No. 397.

Motion carried.

Driscoll moved that the rules be temporarily suspended so that Senate Joint Resolution No. 30 may be allowed to be accepted by the House.

Motion carried unanimously.

Huennekens moved that Senate Bill No. 73 on Second Reading be placed at the bottom of the board.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced on suspension of rules, read first time, and referred to committee:

Senate Joint Resolution No. 30, introduced by Flynn, Graham: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the National Park Service to purchase the site of the battle of the Rosebud and Kobold Buffalo Jump. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 26, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 87 be amended as follows:

1. Amend page 3, section 3, line 1.

Following: "(2)"

Strike: "Thirty percent (30%)"

Insert: "Twenty-two and one half percent (22-½%)"

2. Amend page 3, section 3, lines 2 and 3.

Following: "thereafter"

Strike: "forty percent (40%)"

Insert: "thirty-two and one half percent (32-½%)" (53-37)

And as amended, be concurred in. (87-0)

That Senate Bill No. 86 be amended as follows:

1. Amend page 3, section 3, line 4.

Following: "the"

Strike: "coal board"

Insert: "department" (79-0)

And as amended, be concurred in. (82-11)

That Senate Bill No. 123 be concurred in. (78-0)

That Senate Bill No. 206 be passed for the day.

That Senate Bills Nos. 252, 253 and 254 be passed to the bottom of the board.

That Senate Bill No. 265 be amended as follows:

1. Amend House Committee on Labor and Employment Relations amendments.

Amendment No. 4.

Following: "employer"

Insert: "unless work is subject to the permit provisions of this act" (51-34)

And be further amended in the Third Reading copy:

2. Amend page 6, section 1, subsection (2), line 2.

Following: "66-2426"

Insert: "or 66-2401" (72-10)

And be further amended:

3. Amend page 6, section 1, subsection (3), line 17.

Following: "board"

Insert: "or authorized representative" (84-1)

And be further amended:

4. Amend page 6, section 1, subsection (2), line 3.

Following: "owner"

Strike: "of" (75-2)

Meloy replaces Lynch in the Chair.

And be further amended:

5. Amend House Committee on Labor and Employment Relations Amendment No. 2.

Following: "safety"

Strike: "Determination of what constitutes minor replacement or repair work shall be made by the board of plumbers, subject to the right of the person affected to a hearing before the board" (75-7)

And as amended, be concurred in. (47-42)

That the Committee rise and report and beg leave to sit again.

LYNCH, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 26, 1975

I have examined House Bill No. 316 introduced by me and find the same to be correct.

GERKE

March 26, 1975

I have examined House Bill No. 203 introduced by me and find the same to be correct.

KEMMIS

March 26, 1975

I have examined House Joint Resolution No. 26 introduced by me and find the same to be correct.

GILLIGAN

March 26, 1975

I have examined House Bill No. 313 introduced by me and find the same to be correct.

YARDLEY

March 26, 1975

I have examined House Bill No. 107 introduced by me and find the same to be correct.

FABREGA

March 26, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Joint Resolution No. 26, House Bills Nos. 107, 203.

QUILICI, Chairman

March 26, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 313, 316.

QUILICI, Chairman

March 26, 1975

The following bills will be signed on adjournment on March 26, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 313, 316.

Edwin A. Smith, Chief Clerk
House of Representatives

March 26, 1975

The following bills and resolution will be signed on adjournment on March 26, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 26, House Bills Nos. 107, 203.

Edwin A. Smith, Chief Clerk
House of Representatives

March 26, 1975

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be employed by the House of Representatives for the 44th session at the beginning of business March 24, 1975:

Shellie Rindall	Page
Ann Lebar	Page
Jodee Jackson	Page
Debbie Anderson.....	Page
Patricia Widholm.....	Page
Nancy Espelin.....	Page

At the beginning of business March 26, 1975, the following also be employed:

Denita Jo Lyle.....	Page
Kathy Webster.....	Page

At the close of business March 22, 1975, the following also be terminated:

Ann Lucas.....	Page
Laura Nordlund.....	Page
Roland Butzlaff.....	Page
Rosalie Ellis.....	Page
Gordon Callant.....	Page
Rich Gould.....	Page
Karen Barclay.....	Proofreader

At the close of business March 25, 1975, the following also be terminated:

Laurie Deily.....	Page
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At the beginning of business March 24, 1975, the following also be employed:

Tempi Cadby.....	Page
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At the close of business March 28, 1975, the following also be terminated:

Tempi Cadby.....	Page
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LYNCH, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 26, 1975

Joint Conference Committee Report On House Amendments to Senate Bill No. 57

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 57, met March 26, 1975, and considered House Committee of the Whole Amendment dated March 8, 1975, and recommend as follows:

That the Senate accede to the House amendment,

And that Senate Bill No. 57, as so amended, be concurred in.

FOR THE HOUSE:

JOHNSON, Chairman
McKITTRICK
ELLERD

FOR THE SENATE:

GRAHAM, Chairman
FLYNN
HIMSL

Report adopted.

MOTIONS

Fagg moved that House Bill No. 254 be placed on Third Reading as it was improperly transmitted to the Senate in accordance with Article VIII, Section 6 (2), of the Montana Constitution as ruled by the Senate Rules Committee.

As a substitute motion, Fagg moved that House Bill No. 254 be rereferred to the Joint Rules Committee.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MOTIONS

Dassinger moved that the House reconsider its action in passing Senate Bill No. 87 on Second Reading this day and that it be placed on Second Reading this day at the top of the board.

Motion carried.

Jim Moore moved that Senate Bill No. 206 be taken from Second Reading and be rereferred to the Rules Committee.

Motion carried.

Lien moved that the House request that the Senate return Senate Bill No. 27 to the House and that the House reconsider its action in failing to pass Senate Bill No. 27 on Second Reading on the previous legislative day and place it on Second Reading the Sixty-seventh Legislative Day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 26, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 87 be passed below Senate Bill No. 275 on the board.

That Senate Bill No. 274 be not concurred in. (65-28)

That Senate Bill No. 275 be concurred in. (51-33)

That Senate Bill No. 87 be concurred in. (90-2)

That Senate Bill No. 277 be amended as follows:

1. Amend page 3, section 2, lines 10 through 14.
Strike: subsection (2) in its entirety. (77-0)

And be further amended:

2. Amend the Natural Resources Committee amendments, page 2, section 4, line 4.

Strike: "lands"

Insert: "minerals" (74-0)

And be further amended:

3. Amend page 2, section 1, line 14.
Following: "roads"

Insert: "If the lessee and surface owner do not agree on access road location within 15 days, the arbitration procedure established by section 3 of this act shall be applicable." (69-0)

And be further amended:

4. Amend the title, line 8.

Insert: "and providing an effective date." (68-2)

And as amended, be concurred in. (50-38)

That Senate Bill No. 295 be concurred in. (78-1)

That Senate Bill No. 305 be concurred in. (75-0)

That Senate Bill No. 308 be concurred in. (74-1)

That Senate Bill No. 314 be concurred in. (84-4)

That Senate Bill No. 316 be passed for the day.

That Senate Bill No. 319 be concurred in. (68-3)

That Senate Bill No. 333 be concurred in. (87-0)

That Senate Bill No. 401 be concurred in. (78-0)

That Senate Bill No. 342 be amended as follows:

1. Amend title, page 1, line 6.

Following: "sections"

Strike: "84-301,"

2. Amend page 1, section 2, line 13 through page 8, line 3.

Strike: section 2 in its entirety and renumber the subsequent sections. (50-35)

Babcock excused at this time.

And as amended, be concurred in. (73-7)

That Senate Bill No. 348 be passed for the day.

Asher and Ellerd excused at this time.

That Senate Bill No. 362 be not concurred in. (60-20)

Brand present at this time.

That Senate Bill No. 370 be concurred in. (68-4)

That Senate Bill No. 377 be concurred in. (67-15)

That Senate Bill No. 386 be amended as follows:

1. Amend page 1, section 1, line 15.

Following: "delivery"

Strike: "if"

Following: "meat"

Strike: "was" (69-1)

And as amended, be passed below Senate Bill No. 388 on the board.

That Senate Bill No. 388 be concurred in. (59-16)

That Senate Bill No. 386 be amended as follows:

1. Amend Committee of the Whole Amendment No. 1, dated March 26, 1975, Third Reading copy, page 1, section 1, line 15.

Following: "delivery."

Strike: "If such"

Insert: "On"

Following: "meat"

Strike: "was" (76-1)

And as amended, be concurred in. (83-1)

That Senate Bill No. 393 be not concurred in. (73-14)

That Senate Bill No. 252 be concurred in. (58-15)

That Senate Bill No. 253 be concurred in. (58-14)

That Senate Bill No. 254 be concurred in. (57-21)

That the Committee rise and report.

LYNCH, Chairman

Lien moved that Senate Bill No. 275 be segregated from the Committee of the Whole report and as amended be adopted.

Motion failed.

Thereupon, the report was adopted.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate on the House Amendments to Senate Bill No. 397: Manuel, Chairman, Conroy and Wyrick.

REPORTS OF STANDING COMMITTEES

March 26, 1975

I have examined House Bill No. 378 introduced by me and find the same to be correct.

MANUEL

March 26, 1975

I have examined House Joint Resolution No. 58 introduced by me and find the same to be correct.

KEMMIS

March 26, 1975

I have examined House Joint Resolution No. 53 introduced by me and find the same to be correct.

KEMMIS

March 26, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolutions correctly enrolled: House Bill No. 378, House Joint Resolutions Nos. 53, 58.

QUILICI, Chairman

March 26, 1975

The following bill and resolutions will be signed on adjournment on March 26, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 378, House Joint Resolutions Nos. 53, 58.

Edwin A. Smith, Chief Clerk
House of Representatives

March 26, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 221, respectfully report as follows: That Senate Bill No. 221 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 7.

Following: "fault"

Insert: "and providing a delayed effective date"

2. Amend page 1, section 1, line 15.

Following: "Montana"

Insert: "No-Fault"

3. Amend page 1, section 2, subsection (2), lines 23 through 25 and page 2, lines 1 through 7.

Following: "means"

Strike: the remainder of subsection (2) in its entirety.

Insert: "a vehicle (including a trailer designed for use with a motor vehicle) which is self-propelled and used primarily upon public highways, roads, or streets in the transportation of persons or property and which is required to be registered under Title 53. The term motor vehicle does not include a motorcycle or other self-propelled vehicle with fewer than four (4) wheels or a snowmobile."

4. Amend page 2, section 2, subsection (4), following line 13.

Insert: new subsections (5), (6), (7) and (8) to read as follows:

"(5) 'Owner' means a person who holds title to a motor vehicle, or a debtor who is entitled to immediate use or possession of a motor vehicle which is the subject of a security agreement or lease with option to purchase.

(6) 'Insured' means the named insured under a no-fault plan as provided by this act and includes a spouse or other relative of a named insured, a minor in the custody of a named insured, and a minor in the custody of a relative of a named insured if:

(a) In residence in the same household with the named insured; and

(b) Not identified by name as an insured in any other no-fault policy complying with this act.

An individual is in residence in the same household if he usually makes his home in the same family unit, even though he temporarily lives elsewhere.

(7) 'Self-insurer' means an owner or other appropriate person who files with the highway patrol:

(a) A continuing undertaking to pay no-fault benefits and tort liability required by this act, and to perform all obligations imposed by this act;

(b) Evidence that appropriate provision exists for prompt and efficient administration of all claims, benefits and obligations provided in accordance with this act; and

(c) Evidence that reliable financial arrangements, deposits, resources or commitments exist providing assurance substantially equivalent to that afforded by a contract of insurance complying with this act for payment of no-fault benefits, any tort liability, and performance of all other obligations imposed by this act.

(8) 'Reasonable and necessary expenses' means reasonable value of (where no charges are incurred) reasonably needed and used products, services and accommodations. The term does not include that portion of a charge for a room in a hospital, clinic, convalescent or nursing home, or other nursing care institution, in excess of a reasonable and customary charge for semiprivate accommodations, unless more intensive medical care is required."

5. Amend page 2, section 3, subsection (1), lines 16, 17 and 18.

Following: "Each"

Strike: the remainder of line 16 and lines 17 and 18 in their entirety.

Insert: "owner of a motor vehicle, registered or operated in this state, shall continuously provide security covering such motor vehicle while it is present or registered in this state by a contract of insurance with an insurer or by qualifying as a self-insurer, as follows:"

6. Amend page 3, section 3, subsections (2) and (a), following line 4.

Strike: lines 5 through 17 in their entirety.

Insert: "(c) First party coverage payable without regard to fault for each accident arising out of the maintenance or use of a motor vehicle which will provide benefits reimbursing all loss suffered by a victim as follows, for:"

7. Amend page 3, section 3, subsection (i), line 19.

Following: "hospital"

Insert: "optical, chiropractic, osteopathic,"

8. Amend page 4, section 3, subsection (ii), line 3.

Following: "weeks"

Insert: "(compensation for loss of income from work shall be reduced by any income from substitute work performed by the injured person or by income the injured person would have earned in available appropriate substitute work which he was capable of performing but unreasonably failed to undertake)"

9. Amend page 4, section 4, lines 11 through 25 and page 5, lines 1 through 5.

Following: "40-5904."

Strike: the remainder of this section in its entirety.

Insert: "Priority of applicability of security for payment of benefits.

(1) In case of injury to the driver or other occupant of a motor vehicle, if the accident causing the injury occurs while the vehicle is being used in the business of transporting persons or property, the security for payment of benefits is the security covering the vehicle or, if none, the security under which the injured person is an insured.

(2) In case of injury to an employee, or to his spouse, or other relative residing in the same household, if the accident causing the injury occurs while the injured person is driving or occupying a motor vehicle furnished by the employer, the security for payment of benefits is the security covering the vehicle or, if none, the security under which the injured person is an insured.

(3) In the case of any other person whose injury arises from the maintenance or use of a motor vehicle described in subsection (1) or (2) who is not a driver or occupant of another involved motor vehicle, the security for the payment of benefits is the security covering the vehicle, or if none, the security under which the injured person is an insured.

(4) In all other cases, the following priorities apply:

(a) The security for payment of benefits applicable to injury to an insured is the security under which the injured person is an insured.

(b) The security for payment of benefits applicable to injury to the driver or other occupant of an involved motor vehicle who is not an insured is the security covering that vehicle.

(c) The security for payment of benefits applicable to injury to a person not otherwise covered who is not the driver or other occupant of an involved motor vehicle is the security covering any involved motor vehicle. An unoccupied parked vehicle is not an involved motor vehicle unless it was parked so as to cause unreasonable risk of injury.

(5) If two or more obligations to pay benefits are applicable to an injury under the priorities set out in this section, benefits are payable only once and the insurer against whom a claim is asserted shall process and pay the claim as if wholly responsible, but he is thereafter entitled to recover contribution pro rata for the benefits paid and the costs of processing the claim. Where contribution is sought among insurers responsible under clause (c) of subsection (4), proration shall be based on the number of involved motor vehicles.

(6) Where an insurer pays benefits which another insurer is obligated to pay under the priority provided in this section, the insurer that pays is subrogated to all rights of the person to whom benefits are paid."

10. Amend page 5, section 5, line 8.

Following: "interest."

Insert: "(1)"

11. Amend page 5, section 5, line 9.

Following: "section 3"

Strike: "(2)"

Insert: "(c)"

12. Amend page 5, section 5, following line 14.

Insert: a new subsection (2) to read as follows:

"(2) When an insurer has paid or is obligated to pay benefits for loss arising out of a motor vehicle accident it has a right of reimbursement among and between insurers based upon a determination of comparative negligence."

13. Amend page 5, section 6, line 18.

Following: "fee"

Insert: ", to be paid by the insurer,"

14. Amend page 5, section 6, following line 19.

Following: "section 5."

Insert: "No part of the attorney's fee for representing a client may be deducted from benefits otherwise due the claimant and no part of the benefits may be applied to the fee."

15. Amend page 5, section 7, lines 22 through 25 and page 6, lines 1 through 17.

Following: "40-5907."

Strike: all the material of the section up to subsection (3).

Insert: "Collateral source recovery. (1) In the event a person entitled to benefits under section 3(c) of this act is also entitled to workmen's compensation benefits as a result of the same accident, then the benefits payable under section 3(c) shall be reduced by the amount to which the person is entitled under the workmen's compensation law."

Re-number: subsequent subsection.

16. Amend page 6, section 7, present subsection (3), line 19.
Following: "section 3"
Strike: "(2)"
Insert: "(c)"

17. Amend page 7, section 8, subsections (1) and (2), lines 4 through 25
and page 8, lines 1 through 4.
Strike: all of subsections (1) and (2) in their entirety.
Insert: a new subsection (1) to read as follows:

"(1) No person may register or reregister a motor vehicle unless proof that the vehicle is covered by security as required by section 3 of this act, or proof of self-insurance is furnished to the county treasurer. Proof of security shall be submitted in a form prescribed by the insurance commissioner. Proof of self-insurance shall be in the form prescribed by the highway patrol."

Renumber: subsequent subsections.

18. Amend page 8, section 8, present subsection (3), line 4.
Following: "write"
Insert: "no-fault"

19. Amend page 8, section 8, present subsection (3), line 5.
Strike: "liability"

20. Amend page 8, section 8, present subsection (3), line 6.
Following: "within"
Strike: "fifteen (15)"
Insert: "thirty (30)"

21. Amend page 8, section 8, present subsection (3), line 7.
Following: "renew"
Insert: "the no-fault"

22. Amend page 8, section 8, present subsection (3), line 7.
Following: "vehicle"
Strike: "liability"

23. Amend page 8, section 8, present subsection (3), line 11.
Strike: "liability"

24. Amend page 8, section 8, present subsection (3), line 14.
Following: "vehicle"
Strike: "liability"

25. Amend page 8, section 8, present subsection (4), line 15.
Following: "new"
Insert: "no-fault"

26. Amend page 8, section 8, present subsection (4), line 15.
Following: "vehicle"
Strike: "liability"

27. Amend page 8, section 8, present subsection (4), line 17.
Following: "vehicle"
Strike: "liability"

28. Amend page 8, section 8, present subsection (4), line 21.
Strike: "as provided in section 8 of this act"

29. Amend page 9, section 8, present subsection (6), lines 1 and 2.
Following: "Any"
Strike: "insurance company, carrier or agent authorized to write motor vehicle liability insurance in this state"

Insert: "person"

30. Amend page 9, section 8, present subsection (6), line 4.

Following: "proof of"

Insert: "no-fault"

31. Amend page 9, section 8, present subsection (6), line 4.

Following: "vehicle"

Strike: "liability"

32. Amend page 9, section 8, present subsection (6), lines 4, 5, 6 and 7.

Following: "insurance"

Strike: "or fails to inform the highway patrol chief of the cancellation, termination or failure to renew motor vehicle liability insurance"

33. Amend page 9, section 8, present subsection (6), line 7.

Following: "provided in"

Strike: "section 8 (2) of"

34. Amend page 13, section 12, lines 11 through 14.

Following: "40-5912."

Strike: the remainder of the section in its entirety.

Insert: "Restrictions on tort liability. Tort liability with respect to any injury arising out of the maintenance or use of a motor vehicle is restricted as follows:

(1) An owner of a motor vehicle involved in an accident remains liable if, at the time of the accident, the vehicle was not a secured vehicle.

(2) A person in the business of designing, manufacturing, repairing, servicing, or otherwise maintaining motor vehicles remains liable for injury arising out of a defect in such motor vehicle which is caused or not corrected by an act or omission in the course of such business, other than a defect in a motor vehicle which is operated by such business.

(3) An individual remains liable for injuring another individual, either intentionally or as a consequence of intending to injure himself.

(4) A person remains liable for loss which is not compensated because of any limitation under section 3 (c) (ii) or 3 (c) (iii) of this act.

(5) A person remains liable for pain, suffering, mental anguish, inconvenience, physical impairment and other nonpecuniary damage if the accident results in:

(a) Death, serious and permanent disfigurement, or other serious and permanent injury; or

(b) The sum of the following exceeds one thousand dollars (\$1,000):

(i) Reasonable medical expense benefits,

(ii) The value of free medical or surgical care or necessary nursing services performed by a relative of the injured person or a member of his household; or

(c) More than thirty (30) continuous days of total disability. As used in this subsection, 'total disability' means medically determinable physical or mental impairment which prevents the victim from performing all or substantially all of the material acts and duties which constitute his usual and customary daily activities."

35. Amend page 13, section 14, lines 23 through 25 and page 14, line 1.

Following: "Severability"

Strike: the remainder of this section in its entirety.

Insert: "and constitutionality. If any provision of this act or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid the remainder of this act and the application of such provision to other provisions or circumstances shall not be affected

thereby and it shall be conclusively presumed that the legislature would have enacted the remainder of this act without such invalid or unconstitutional provision; provided that if section 12 of this act is found to be unconstitutional or invalid it shall be conclusively presumed that the legislature would not have enacted the remainder of this act without section 12 and the entire act shall be held invalid."

36. Amend page 14, following line 1.

Insert: a new section 15 to read as follows:

"Section 15. This act is effective on January 1, 1976."

And as amended, be concurred in.

HUENNEKENS, Chairman

Report adopted.

March 26, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 246, respectfully report as follows: That Senate Bill No. 246 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, subsection (1), line 15.

Following: "board of"

Insert: "warm air"

2. Amend the House Committee on Labor and Employment Relations amendments to Senate Bill No. 246, dated March 17, 1975.

Strike: Amendment No. 2 in its entirety.

3. Amend page 4, section 4, subsection (3), line 7.

Following: first word "air"

Strike: ";

4. Amend the floor amendment made by Representative Huennekens, dated March 20, 1975.

Strike: this amendment in its entirety.

5. Amend page 4, section 4, subsection (3), line 21.

Following: "property"

Insert: ", and masonry fireplaces and component parts with masonry flues"

6. Amend the floor amendment made by Representative Kimble, dated March 20, 1975.

Strike: this amendment in its entirety.

7. Amend page 11, section 16, subsection (A), line 24.

Following: "them"

Insert: "or person doing routine maintenance in their place of business"

8. Amend page 12, section 16, subsection (C), line 4.

Following: "by"

Insert: "self or"

9. Amend page 12, section 16, subsection (C), line 4.

Following: "employees"

Insert: "or other businesses doing their own routine maintenance"

And as amended, be concurred in.

KIMBLE, Chairman

Report adopted.

March 26, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 175, respectfully report as follows: That Senate Bill No. 175 be amended in the Third Reading bill as follows:

1. Amend title, page 1, line 8.

Following: "funding"

Insert: "; and providing an effective date"

2. Amend page 2, section 2, subsection (1), lines 1 through 5.

Following: "lakeshore,"

Strike: "occurring naturally rather than by virtue of constructed impoundments (although a natural lake whose level is raised and whose area is increased by the construction of impoundments includes the additional level and area),"

3. Amend page 2, section 2, subsection (1), line 17.

Following: "apply to"

Strike: "natural"

4. Amend page 2, section 2, subsection (2), line 20.

Following: "elevation"

Insert: ", including the land within one hundred (100) feet above that high water elevation"

5. Amend page 3, section 3, line 9.

Following: "lake"

Insert: "or its lakeshore"

6. Amend page 3, section 3, lines 15 and 16.

Following: "lagooning,"

Strike: "and filling"

Insert: "filling; and constructing breakwaters of pilings"

7. Amend page 3, section 4, subsection (1), line 25.

Following: "regulations"

Strike: ", in the form of criteria,"

8. Amend page 4, section 4, subsection (1), line 1.

Following: "lakes"

Insert: "and on lakeshores"

9. Amend page 4, section 4, subsection (2), lines 6 through 17.

Strike: subsection (2) in its entirety.

Insert: a new subsection (2) to read:

"(2) The regulations shall include minimum standards in the following categories:

(a) safe and healthful conditions for the enjoyment of aquatic recreation;

(b) demands of water traffic, boating and water sports;

(c) requirements necessary to assure proper operation of septic tank disposal fields near lakes;

(d) building setbacks from the water;

(e) preservation of shore growth and cover;

(f) shoreland layouts for residential and commercial development;

(g) restriction of filling ponds, lakes and reservoirs;

(h) regulation of the construction and operation of wharves and docks."

10. Amend page 5, section 4, subsection (6), lines 4, 5 and 6.

Following: "(6)"

Strike: "[If a local governing body has not adopted regulations in compliance with subsection (1) of this section on January 1, 1976, the] The"

Insert: "If a local governing body has not adopted regulations in compliance with subsection (1) of this section on January 1, 1976, the"

11. Amend page 5, section 4, subsection (6), line 9.

Following: "is"

Strike: "greater"

Insert: "smaller"

12. Amend page 9, following line 8.

Insert: a new section 14.

"Section 14. Effective date. This act is effective upon passage and approval."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRADLEY, Chairman

Report adopted.

March 26, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Resolution No. 5, respectfully report as follows: That House Resolution No. 5 be adopted.

STOLTZ, Vice-Chairman

Report adopted.

March 26, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 230, respectfully report as follows: That Senate Bill No. 230 be amended in the Third Reading copy as follows:

1. Amend page 2, section 1(i), line 24.

Following: "wholesaler"

Insert: ", sub-jobber, or retailer for ten (10) or more cigarette vending machines, which he operates for a profit in premises or locations other than his own. Such person shall be treated as a wholesaler. Any person who operates less than ten (10) cigarette vending machines shall be treated as a retailer."

2. Amend page 3, section 1 (i), lines 5, 6, 7.

Following: "[retailer.]"

Strike: all remaining material in subsection (i) in its entirety.

3. Amend page 3, section 1 (j), line 14.

Following: "sub-jobbers."

Insert: "It is further provided that a sub-jobber shall use the license in the interest of the general public. If during any month, more than thirty-five percent (35%) of volume of cigarette sales be with any retail client whose business is controlled directly or indirectly through sanguinity or affinity with the owner, or employer for such retail business, the license shall be deemed to have been used or to be intended to be used in violation of section 84-5606.8."

4. Amend page 3, section 1 (k), line 16.

Following: "act"

Insert: ", and they shall be treated as wholesalers"

5. Amend page 5, section 3, lines 7, 8, 9, 10.

Following: "1969."

Strike: all underlined material through "1975."

6. Amend page 5, section 3, line 20.

Following: "position"

Strike: "to the front side of"

Insert: "on"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

YARDLEY, Chairman

Report adopted.

March 26, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 233, respectfully report as follows: That Senate Bill No. 233 be amended in the Third Reading copy as follows:

1. Amend page 1, line 14.

Following: "gasoline"

Insert: "excluding aviation gasoline as defined in section 84-1846(8)"

2. Amend page 1, line 18.

Following: "gasoline"

Insert: "excluding aviation gasoline"

3. Amend page 1, lines 20 and 21.

Following: "the"

Strike: "legislative council"

Insert: "governor"

And as amended, be concurred in.

YARDLEY, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 182, introduced by Teague, Vincent (by request of the Department of Revenue)

House Bill No. 216, introduced by Jim Moore, Scully, McKittrick

House Bill No. 234, introduced by Mular, Johnson, et al

House Bill No. 260, introduced by Kelly (by request of Department of Labor and Industry)

House Bill No. 362, introduced by Kimble (by request)

House Bill No. 404, introduced by Bertelsen, Kropp, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills and joint resolution are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 140, introduced by Lory, Dussault

House Bill No. 143, introduced by Kemmis, Palmer, et al

House Bill No. 155, introduced by Yardley, Fagg

House Bill No. 207, introduced by Vincent

House Bill No. 245, introduced by Brand, Menahan, et al

House Bill No. 354, introduced by Palmer, Finley, et al

House Bill No. 342, introduced by Gerke, Driscoll, et al

House Bill No. 367, introduced by Jacobsen, Day, Lien

House Bill No. 409, introduced by Williams, Gerke

House Bill No. 599, introduced by Yardley

House Bill No. 666, introduced by Vincent, Meloy, et al

House Joint Resolution No. 45, introduced by Bardanouve, Fleming, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that Senate Bill No. 362 be placed on Third Reading in accordance with Joint Rule 6-28.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 223 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes,

Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Asher, Babcock, Day, Ellerd, Lester, Schye, Shelden. Total 7.

Absent or not voting: Fabrega, Lynch, Manuel, Quilici. Total 4.

Senate Bill No. 362 was not concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Barrett, Bertelsen, Brand, Casey, Dassinger, Ellison, Fagg, Hageman, Hager, Hubing, Johnston, Kimble, Kvaalen, Lockrem, Marks, Mercer, Seifert, Sivertsen, Staigmiller. Total 22.

Noes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Conroy, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 71.

Excused: Asher, Babcock, Day, Ellerd, Lester, Schye, Shelden. Total 7.

Absent or not voting: None.

Driscoll moved that the House adjourn until 10:00 a.m., March 27, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 27, 1975

House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Day, Holmes and Sivertsen, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixty-sixth Legislative Day, find the same to be correct.

JOHNSTON, Vice-Chairman

REPORTS OF STANDING COMMITTEES

March 27, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly printed: House Resolution No. 5.

QUILICI, Chairman

March 27, 1975

The following bill and resolutions were signed in the office of the Speaker of the House of Representatives on March 26, 1975: House Bill No. 378, House Joint Resolutions Nos. 53, 58.

Edwin A. Smith, Chief Clerk
House of Representatives

March 27, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on March 26, 1975: House Bills Nos. 107, 203, 313, 316, House Joint Resolution No. 26.

Edwin A. Smith, Chief Clerk
House of Representatives

March 27, 1975

I have examined House Bill No. 247 introduced by me and find the same to be correct.

HARPER

March 27, 1975

I have examined House Bill No. 513 introduced by me and find the same to be correct.

FINLEY

March 27, 1975

I have examined House Bill No. 454 introduced by me and find the same to be correct.

BARDANOUVE

March 27, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 247, 454, 513.

QUILICI, Chairman

March 27, 1975

The following bills will be signed on adjournment on March 27, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 247, 454, 513.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

March 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 330, and the President was authorized to appoint a Free Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on Senate Bill No. 330.

The President appointed the following members:

Senator Colberg, Chairman
Senator Greely
Senator Olson

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to Senate Bill No. 1 were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 62, introduced by Meloy, Driscoll, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 24, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 21, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 59, introduced by Yardley

House Bill No. 75, introduced by Kimble, McKittrick, et al

House Bill No. 298, introduced by Lester, Helmbrecht, Day

House Bill No. 325, introduced by Williams, Lien, et al

House Bill No. 369, introduced by Meloy, Huennekens, et al

House Bill No. 449, introduced by Lynch (by request)

House Bill No. 559, introduced by Halvorson

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion this day did accede to the request of the House of Representatives, dated March 14, 1975, for the return of Senate Bill No. 124, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that Senate Bill No. 31 be passed below Senate Bill No. 108 on the board on Second Reading.

Motion carried.

Lynch moved that Senate Bill No. 236 be taken from the Committee on Fish and Game and be placed on Second Reading this day. Lynch requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose and the Motion carried by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Bardanouve, Bradley, Driscoll, Dussault, Ellis, Fabrega, Finley, Gilligan, Gunderson, Guthrie, Harper, Helmbrecht, Huennekens, Johnson, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lynch, McFadden, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, Palmer, Quilici, Richards, Robbins, Scully, Sloan, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wood, Yardley, Mr. Speaker. Total 48.

Noes: Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Casey, Conroy, Ellerd, Ellison, Federico, Fishbaugh, Fleming, Gerke, Gould, Gwynn, Hageman, Hager, Halvorson, Herlevi, Hubing, Johnston, Kanduch, Kendall, Kropp, Lien, Lockrem, Lund, Magone, Manuel, Marks, Jack Moore, Rasmussen, Schye, Seifert, Smith, Staigmiller, Thomas, Underdal, Wolfe, Wyrick. Total 42.

Paired: Huennekens, Aye; Jack Moore, Nay.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bengtson, Dassinger, Fagg, Holmes, Jacobsen, O'Connell, Shelden, South. Total 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Aageson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 27, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 78 be concurred in. (75-8)

That Senate Bill No. 175 be concurred in. (71-5)

That Senate Bill No. 221 be passed to the bottom of the board.

That Senate Bill No. 227 be passed below Senate Bill No. 395 on the board.

That Senate Bill No. 230 be concurred in. (56-15)

That Senate Bill No. 233 be concurred in. (55-28)

That Senate Bill No. 246 be placed below Senate Bill No. 108 on the board.

That Senate Bill No. 316 be concurred in. (55-21)

That Senate Bill No. 348 be passed for the day.

Holmes present at this time.

That Senate Bill No. 395 be concurred in. (51-27)

That Senate Bill No. 227 be amended as follows:

1. Amend Public Health, Welfare and Safety Amendment No. 1.
Strike: the amendment in its entirety.

2. Amend page 5, section 2, subsection (3), lines 4 through 6.

Following: "department"

Strike: the remainder of subsection (3) in its entirety.

Insert: "shall be as follows:

(i) The developer shall present to the department a preliminary plan of the proposed development and whatever information the developer feels necessary for its subsequent review. Within sixty (60) days of this submission, based upon its receipt by the department, the department shall notify the developer if the material submitted is satisfactory and if not what additional information is required for subsequent action by the department.

(ii) If additional information is necessary no further processing will be made on the request until the missing information is made available to the department by the developer.

(iii) The department must notify the developer within thirty (30) days if his submission of additional requested material is satisfactory. If the material is not satisfactory, the provision of subsection (ii) shall apply.

(iv) After the department has notified the developer that they have all the necessary information required for review, the department must give final action of the proposed plan within sixty (60) days, unless an environmental impact statement is required, at which time this deadline may be increased to one hundred twenty (120) days." (65-1)

And as amended, be concurred in. (61-15)

That the Governor's Amendments to Senate Bill No. 108 be concurred in as follows:

1. Amend page 1, section 1, line 19.

Following: "This"

Strike: "act"

Insert: "section"

2. Amend page 1, section 1, line 23.

Following: "."

Insert: "Furthermore, for communications public utilities, the provisions of this section shall not apply to advertising which relates to special equipment that is available to aid the handicapped or to special services that are designed to protect the public health, welfare and safety or promote more efficient use of a communications system." (63-23)

That Senate Bill No. 246 be amended as follows:

1. Amend Labor Committee amendments dated March 26, 1975, Amendment No. 7.

Following: "business"

Insert: "or rental housing" (67-5)

And as amended, be concurred in. (48-34)

That Senate Bill No. 31 be passed for the day.

That the Committee rise and report and beg leave to sit again.

AAGESON, Chairman

Marks moved that Senate Bill No. 246 be segregated from the Committee of the Whole report and as amended be adopted.

Motion failed.

Thereupon, the report was adopted.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on Senate Bill No. 330: Hageman, Chairman, Bradley and Mercer.

MESSAGES FROM THE GOVERNOR

March 26, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor this day to inform you that I have approved Senate Bills Nos. 34, 55, 69, 94, 162 and 174.

Sincerely,

THOMAS L. JUDGE
Governor

March 26, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 5, 229, 458, 504, 537, 570 and 598.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

James Moore moved that Senate Bill No. 124 be placed on Second Reading this day.

Motion carried.

Lien moved that consideration of Senate Bill No. 236 be passed for the day.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MOTIONS

Gunderson moved that Senate Bill No. 277 be taken from Third Reading and be placed on Second Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 5 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, McFadden, Magone, Meloy, Jack Moore, James Moore, Palmer, Rasmussen, Robbins, Scully, Shelden, Sloan, South, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 60.

Noes: Aageson, Asher, Babcock, Casey, Ellerd, Ellison, Guthrie, Gwynn, Kropp, Manuel, Marks, Mercer, Mular, O'Connell, Schye, Seifert, Smith, Staigmiller, Wood, Wyrick. Total 20.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Fagg, Federico, Hager, Helmbrecht, Huennekens, Kimble, Lockrem, Lund, Lynch, Menahan, Murphy, Quilici, Richards, Stoltz, Underdal. Total 18.

Senate Bill No. 29 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelson, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: James Moore, Mular. Total 2.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Fabrega, Federico, Hager, Helmbrecht, Huennekens, Lockrem, Luebeck, Marks, Murphy, Quilici, Shelden, Underdal. Total 15.

Senate Bill No. 86 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: Aageson, Ellison, Finley, McFadden, Mercer, Jack Moore, Schye, Wood. Total 8.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Hager, Helmbrecht, Lockrem. Total 6.

Senate Bill No. 87 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Mercer, Mular, Schye. Total 3.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Hager, Helmbrecht, Herlevi, Lockrem. Total 7.

Senate Bill No. 91 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 87.

Noes: Guthrie, Smith, Wood, Wyrick, Yardley. Total 5.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Hager, Helmbrecht, Lockrem. Total 6.

Senate Bill No. 93 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici,

Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Gunderson, Helmbrecht, Lockrem. Total 6.

Senate Bill 96 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Helmbrecht, Lockrem. Total 5.

Senate Bill No. 97 was concurred in by the following vote:

Ayes: Aageson, J. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Conroy, Dassinger, Driscoll, Dussault, Ellis, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Shelden, Sloan, South, Staigmilller, Stoltz, Thomas, Travis, Vincent, Williams, Wolfe, Mr. Speaker. Total 58.

Noes: C.R. Anderson, Asher, Babcock, Barrett, Casey, Ellerd, Ellison, Fabrega, Fagg, Guthrie, Hager, Hubing, Jacobsen, Johnston, Kelly, Kropp, Lory, Lund, McFadden, Marks, Mercer, Jack Moore, James Moore, Rasmussen, Schye, Scully, Seifert, Smith, Teague, Tropila, Underdal, Wood, Wyrick, Yardley. Total 34.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Helmbrecht, Lockrem, Mular. Total 6.

Senate Bill No. 104 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing,

Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Richards. Total 1.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Gunderson, Lockrem, Travis. Total 6.

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Gwynn, Holmes, Marks, Richards. Total 4.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Lockrem, Palmer, Travis. Total 6.

Senate Bill No. 123 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Guthrie, Smith, Staigmillar. Total 3.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bradley, Brand, Fleming, Halvorson, Lockrem. Total 6.

Senate Bill No. 130 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy,

Dassinger, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sloan, South, Staigmillier, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 83.

Noes: Huennekens, Lockrem, Meloy, James Moore, Scully, Smith, Teague, Wyrick. Total 8.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Brand, Driscoll, Gould, Halvorson, Luebeck, Travis. Total 7.

Senate Bill No. 134 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 89.

Noes: Ellerd, Gould, Guthrie, Hubing, Smith, Staigmillier, Underdal, Yardley. Total 8.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 179 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Helmbrecht. Total 2.

Senate Bill No. 186 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Gould, Underdal. Total 2.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 192 was concurred in by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gunderson, Hageman, Harper, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kimble, Lester, Lory, Lynch, Magone, Manuel, Meloy, Menahan, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, South, Stoltz, Teague, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 53.

Noes: Aageson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Casey, Ellerd, Ellison, Fabrega, Fishbaugh, Gould, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Hubing, Jacobsen, Johnston, Kendall, Kropp, Kvaalen, Lien, Lockrem, Lund, McFadden, Marks, Mercer, Jack Moore, James Moore, Mular, O'Connell, Seifert, Sloan, Smith, Staigmiller, Tropila, Underdal, Wood, Wyrick. Total 41.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Kummerfeldt, Luebeck, Thomas. Total 4.

Senate Bill No. 201 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Gould, Palmer. Total 2.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 252 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Schye, Shelden, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Mr. Speaker. Total 70.

Noes: Aageson, Asher, Babcock, Barrett, Casey, Ellerd, Finley, Fleming, Guthrie, Gwynn, Hageman, Harper, Jacobsen, Kendall, McFadden, Manuel, Palmer, Robbins, Scully, Seifert, Sloan, Smith, Teague, Underdal, Wood, Wyrick, Yardley. Total 27.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 253 was concurred in by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Gerke, Gilligan, Gould, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Rasmussen, Richards, Schye, Shelden, South, Staigmiller, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, J. Anderson, Asher, Babcock, Barrett, Brand, Casey, Ellerd, Finley, Fleming, Gunderson, Guthrie, Gwynn, Hageman, Harper, Jacobsen, Johnson, Kendall, Lester, McFadden, Manuel, Palmer, Quilici, Robbins, Scully, Seifert, Sloan, Smith, Teague, Tropila, Wood, Wyrick. Total 32.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 254 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Schye, Shelden, South, Staigmiller, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 65.

Noes: Aageson, Asher, Babcock, Barrett, Brand, Casey, Ellerd, Fleming, Gunderson, Guthrie, Gwynn, Hageman, Harper, Jacobsen, Kendall, Kropp, Kummerfeldt, Lien, McFadden, Manuel, James Moore, Palmer, Robbins, Scully, Seifert, Sloan, Smith, Stoltz, Tropila, Wood, Wyrick, Yardley. Total 32.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 265 was concurred in by the following vote:

Ayes: W. Baeth, Bengtson, Bradley, Brand, Dassinger, Driscoll, Dussault, Fagg, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Harper, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Lester, Lory, Luebeck, Lynch, McFadden, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Scully, Shelden, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 48.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Barrett, Bertelsen, Casey, Conroy, Ellerd, Ellison, Fishbaugh, Fleming, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Hubing, Jacobsen, Johnston, Kanduch, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lund, Magone, Manuel, Marks, Mercer, James Moore, Rasmussen, Richards, Robbins, Schye, Seifert, Sloan, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 46.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Ellis, Fabrega, Kendall. Total 4.

Senate Bill No. 275 was not concurred in by the following vote:

Ayes: C. R. Anderson, W. Baeth, Barrett, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Federico, Gerke, Gilligan, Gould, Gunderson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Lester, Luebeck, Lynch, McFadden, Meloy, Menahan, James Moore, O'Connell, Palmer, Quilici, Richards, Scully, Shelden, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Wolfe, Yardley, Mr. Speaker. Total 46.

Noes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, Bertelsen, Casey, Conroy, Day, Ellerd, Ellison, Fabrega, Fishbaugh, Fleming, Guthrie, Gwynn, Hageman, Hager, Halvorson, Hubing, Jacobsen, Johnston, Kanduch, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, Magone, Manuel, Marks, Mercer, Jack Moore, Mular, Murphy, Rasmussen, Robbins, Schye, Seifert, Sloan, Smith, Staigmiller, Underdal, Williams, Wood, Wyrick. Total 48.

Paired: Brand, Aye; Day, Nay.

Excused: Sivertsen. Total 1.

Absent or not voting: Bardanouve, Bengtson, Fagg, Finley, Kendall. Total 5.

Senate Bill No. 295 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Gould, Gwynn, Palmer, Robbins, Smith. Total 5.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Bengtson, Gerke, Mular. Total 4.

Senate Bill No. 305 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Ellison, Schye. Total 3.

Senate Bill No. 308 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Lynch, James Moore, Palmer, Richards, Smith, Teague. Total 6.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 314 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Wood, Yardley, Mr. Speaker. Total 86.

Noes: Bertelsen, Ellison, Finley, Gunderson, Guthrie, Smith, Staigmiller, Underdal, Wolfe, Wyrick. Total 10.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Travis. Total 2.

Senate Bill No. 319 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Brand, Lynch, Richards, Sloan. Total 4.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Travis. Total 2.

Senate Bill No. 333 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Palmer. Total 1.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 342 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kvaalen, Lester, Lockrem, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 76.

Noes: Bengtson, Casey, Ellerd, Ellis, Ellison, Guthrie, Hager, Hubing, Kendall, Kummerfeldt, Lien, Lory, Lund, Marks, James Moore, Mular, Rasmussen, Schye, Smith, Wyrick. Total 20.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Travis. Total 2.

Senate Bill 370 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 92.

Noes: Babcock, Barrett, Wyrick. Total 3.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Bardanouve, Conroy, Travis. Total 3.

Senate Bill No. 377 was concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: C.R. Anderson, Babcock, Barrett, Casey, Ellerd, Fabrega, Halvorson, Hubing, Kvaalen, Jack Moore, Seifert, Smith, Wood. Total 13.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: None.

Senate Bill No. 386 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James

Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Hager. Total 1.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Holmes. Total 1.

Senate Bill No. 388 was concurred in by the following vote:

Ayes: Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 72.

Noes: Aageson, C.R. Anderson, J. Anderson, Babcock, Barrett, Casey, Ellerd, Ellison, Guthrie, Gwynn, Hager, Hubing, Johnston, Kvaalen, Lien, Lockrem, Mercer, Jack Moore, Seifert, Smith, Staigmiller, Thomas, Underdal, Wood, Wyrick. Total 25.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Fleming. Total 1.

Senate Bill No. 401 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Palmer. Total 1.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Murphy. Total 1.

Senate Bill No. 143 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester,

Lien, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 89.

Noes: Barrett, Ellison, Hubing, Lockrem, Lory, Mercer, Seifert, Smith, Wyrick. Total 9.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: None.

Senate Bill No. 250 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Federico, Finley, Travis. Total 3.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Thomas. Total 1.

Senate Bill No. 264 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Aageson, Brand, Harper, Johnson, Kelly, Meloy, Mular, Richards. Total 8.

Excused: Day, Sivertsen. Total 2.

Absent or not voting: Travis. Total 1.

MOTIONS

James Moore moved that Senate Bill No. 395 be taken from Third Reading and be placed on Second Reading this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the

Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Aageson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 27, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 221 be amended as follows:

1. Amend page 4, section 3(ii), line 2.

Strike: "one hundred dollars (\$100)"

Insert: "one hundred thirty-seven dollars (\$137)" (65-2)

And as amended, be concurred in. (63-14)

Jim Moore and Sloan excused at this time.

That Senate Bill No. 124 be passed for the day.

That Senate Bill No. 277 be passed for the day.

That Senate Bill No. 395 be passed for the day.

That Senate Amendments to House Bill No. 8 be not concurred in. (55-16)

That Senate Amendments to House Bill No. 13 be concurred in. (82-0)

That Senate Amendments to House Bill No. 29 be passed for the day.

That Senate Amendments to House Bill No. 45 be concurred in. (76-0)

That Senate Amendments to House Bill No. 73 be not concurred in. (52-31)

That Senate Amendments to House Bill No. 77 be concurred in. (72-2)

That Senate Amendments to House Bill No. 83 be passed for the day.

That Senate Amendments to House Bill No. 93 be concurred in. (68-1)

That Senate Amendments to House Bill No. 95 be concurred in. (78-0)

That Senate Amendments to House Bill No. 110 be concurred in. (78-4)

That Senate Amendments to House Bill No. 112 be concurred in. (79-0)

That Senate Amendments to House Bill No. 113 be not concurred in. (69-8)

That Senate Amendments to House Bill No. 125 be concurred in. (77-2)

That Senate Amendments to House Bill No. 130 be not concurred in. (78-0)

That Senate Amendments to House Bill No. 140 be concurred in. (75-1)

That Senate Amendments to House Bill No. 143 be not concurred in. (67-12)

That Senate Amendments to House Bill No. 144 be concurred in. (79-2)

That Senate Amendments to House Bill No. 154 be not concurred in. (72-4)

That Senate Amendments to House Bill No. 155 be concurred in. (77-0)

That Senate Amendments to House Bill No. 173 be concurred in. (74-0)

That Senate Amendments to House Bill No. 184 be not concurred in. (37-35)

That Senate Amendments to House Bill No. 207 be concurred in. (71-2)

That Senate Amendments to House Bill No. 228 be passed for the day.

That Senate Amendments to House Bill No. 245 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 290 be concurred in. (68-0)

That Senate Amendments to House Bill No. 299 be concurred in. (76-0)

That Senate Amendments to House Bill No. 303 be concurred in. (68-1)

That Senate Amendments to House Bill No. 305 be concurred in. (72-0)

That Senate Amendments to House Bill No. 307 be concurred in. (76-1)

That Senate Amendments to House Bill No. 309 be concurred in. (75-2)

That Senate Amendments to House Bill No. 342 be not concurred in. (83-1)

That Senate Amendments to House Bill No. 354 be concurred in. (76-8)

That Senate Amendments to House Bill No. 356 be concurred in. (85-1)

That Senate Amendments to House Bill No. 367 be not concurred in. (79-5)

That Senate Amendments to House Bill No. 368 be concurred in. (84-0)

That Senate Amendments to House Bill No. 389 be passed for the day.

That Senate Amendments to House Bill No. 393 be passed for the day.

That Senate Amendments to House Bill No. 396 be concurred in. (86-0)

That Senate Amendments to House Bill No. 400 be not concurred in. (75-7)

That Senate Amendments to House Bill No. 409 be concurred in. (77-0)

That Senate Amendments to House Bill No. 416 be concurred in. (79-0)

That Senate Amendments to House Bill No. 419 be concurred in. (82-0)

That Senate Amendments to House Bill No. 424 be passed for the day.

That Senate Amendments to House Bill No. 426 be concurred in. (83-0)

That Senate Amendments to House Bill No. 436 be concurred in. (76-0)

Seifert replaces Ageson in the Chair.

That Senate Amendments to House Bill No. 446 be not concurred in. (69-7)

That Senate Amendments to House Bill No. 447 be concurred in. (70-0)

Ageson resumes the Chair.

- That Senate Amendments to House Bill No. 451 be concurred in. (74-0)
- That Senate Amendments to House Bill No. 452 be concurred in. (73-0)
- That Senate Amendments to House Bill No. 455 be concurred in. (74-1)
- That Senate Amendments to House Bill No. 463 be concurred in. (76-0)
- That Senate Amendments to House Bill No. 469 be passed for the day.
- That Senate Amendments to House Bill No. 471 be concurred in. (77-0)
- That Senate Amendments to House Bill No. 507 be concurred in. (78-0)
- That Senate Amendments to House Bill No. 512 be not concurred in. (78-1)
- That Senate Amendments to House Bill No. 518 be concurred in. (77-0)
- That Senate Amendments to House Bill No. 531 be concurred in. (82-0)
- That Senate Amendments to House Bill No. 557 be not concurred in. (66-13)
- That Senate Amendments to House Bill No. 561 be passed to the bottom of the board.
- That Senate Amendments to House Bill No. 565 be concurred in. (71-0)
- That Senate Amendments to House Bill No. 567 be passed for the day.
- That Senate Amendments to House Bill No. 571 be concurred in. (80-0)
- That Senate Amendments to House Bill No. 579 be concurred in. (79-0)
- That Senate Amendments to House Bill No. 586 be passed for the day.
- That Senate Amendments to House Bill No. 599 be not concurred in. (76-3)
- That Senate Amendments to House Bill No. 615 be passed for the day.
- That Senate Amendments to House Bill No. 637 be concurred in. (63-1)
- That Senate Amendments to House Bill No. 643 be concurred in. (74-0)
- That Senate Amendments to House Bill No. 646 be concurred in. (78-0)
- That Senate Amendments to House Bill No. 647 be passed for the day.
- That Senate Amendments to House Bill No. 666 be passed for the day.
- That Senate Amendments to House Bill No. 678 be concurred in. (83-0)
- That Senate Amendments to House Bill No. 699 be concurred in. (78-1)
- That Senate Amendments to House Joint Resolution No. 45 be concurred in. (83-0)
- That Senate Amendments to House Joint Resolution No. 48 be concurred in. (78-0)
- That the Conference Committee Report on House Bill No. 9 be adopted. (64-13)
- That the Conference Committee Report on House Bill No. 70 be passed for the day.
- That the Conference Committee Report on House Bill No. 106 be adopted. (77-0)

That the Free Conference Committee Report on House Bill No. 195 be adopted. (81-1)

That the Free Conference Committee Report on House Bill No. 202 be adopted. (85-0)

That the Free Conference Committee Report on House Bill No. 243 be adopted. (81-1)

That the Conference Committee Report on House Bill No. 418 be adopted. (55-23)

That the Conference Committee Report on House Bill No. 627 be rejected. (52-37)

That the Committee rise and report.

AAGESON, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 27, 1975

I have examined House Joint Resolution No. 47 introduced by me and find the same to be correct.

HUENNEKENS

March 27, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly enrolled: House Joint Resolution No. 47.

QUILICI, Chairman

March 27, 1975

The following bills will be signed on adjournment on March 27, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 39, 51.

Edwin A. Smith, Chief Clerk
House of Representatives

March 27, 1975

The following resolution will be signed on adjournment on March 27, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 47.

Edwin A. Smith, Chief Clerk
House of Representatives

March 27, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 13, respectfully report as follows: That Senate Bill No. 13 be amended in the Third Reading copy as follows:

1. Amend the title, page 1, line 11.

Following: "84-302,"

Insert: "84-1309.1,"

2. Amend in the title, page 1, line 12.

Following: "84-1309,"

Strike: "84-1309.1,"

3. Amend page 3, section 2 (1)(a), lines 19 to 23.

Following: "mine,"

Strike: "including reserves collected for payment of taxes subsequently determined, but not including any tax on the coal which is not determined at the time of sale and for which the seller does not collect reserves at the time of sale"

Insert: "excluding that amount charged by the seller to pay taxes paid on production"

4. Amend page 4, section 2, line 11.

Following: subsection (7)

Insert: new subsection (8) as follows:

"(8) 'Taxes paid on production' include any tax paid to the federal, state, or local governments upon the quantity of coal produced as a function of either the volume or the value of production, and do not include any tax upon the value of mining equipment, machinery, or buildings and lands, any tax upon a person's net income derived in whole or in part from the sale of coal, or any license fee."

5. Amend page 5, section 3, lines 4 through 7.

Following: "price."

Strike: "A person who produces less than [one] five thousand [two hundred fifty (1,250)] (5,000) tons of coal in a quarter-year is not liable for any severance tax on that production."

Insert: "A person is not liable for any severance tax upon the first five thousand (5,000) tons of coal he produces in a quarter-year."

6. Amend page 7, section 7, lines 3 through 7.

Strike: section 7 in its entirety.

Insert: new section 7 as follows:

"Section 7. Section 84-1309.1, R.C.M. 1947, is renumbered 84-1319, and is amended to read as follows:

'[84-1309.1] 84-1319. Disposal of license or severance taxes. License or severance taxes collected under the provisions of this chapter or such sections as may enact a severance tax on coal in 1975 are allocated as follows:

(1) To the county [general fund] for such purposes as the governing body of that county may determine from which coal was mined three cents (3¢) per ton; provided, however, for each calendar year prior to January 1, 1980, this amount shall be three cents (3¢) per ton or five percent (5%) of the contract sale price of the coal mined in that county, whichever is higher.

(2) To the earmarked revenue fund, such portions of the severance tax as may be authorized by laws enacted in 1975.

[2] (3) All other revenues from license or severance taxes collected under the provisions of this chapter shall be deposited to the credit of the general fund of the state."

7. Amend page 20, section 17, line 13.

Following: "84-1309,"

Strike: "84-1309.1,"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

YARDLEY, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 27, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 180, 252, 297, 306, 464, 509, 527, 551 and 568.

Sincerely,

THOMAS L. JUDGE
Governor

March 27, 1975

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor, I hereby veto Senate Bill No. 247, "An act making teachers employed in schools operated by the State Board of Institutions eligible for the same leave benefits as other employees; amending Section 59-1007, R.C.M. 1947." I exercise this veto for two reasons.

Presently, teachers within the Department of Institutions receive equal, and in most instances, better benefits than teachers employed by school districts. Teachers who are employed by the Department of Institutions generally sign contracts for a nine month school year. They are entitled to approximately 17 working days off in the nine months they are paid. They earn and can take nine paid sick days each school year. In most instances they are not required to teach more than 70% of their work week. They also have the usual three months off during the summer. For this reason, I believe that it would be inequitable to include teachers employed by the Department of Institutions within the annual leave provisions of state law. To do so would entitle these teachers to receive greater benefits than other state employees and teachers who are employed by school districts. The Department of Institutions has estimated that Senate Bill No. 247 would cost the Department approximately \$75,000 over the next biennium if signed into law.

I also veto Senate Bill No. 247 because it is totally inconsistent with the provisions of the Executive Reorganization Act. The State Board of Institutions is now an advisory board and does not exercise hiring and firing powers. Therefore, reference to school teachers employed in schools operated by the State Board of Institutions in the proposed amendment to Section 59-1007 is totally inappropriate. The proper reference should be to the State Department of Institutions.

I thank you for your careful consideration of this matter.

Sincerely,

THOMAS L. JUDGE
Governor

March 27, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 58, 215, 260 and 317.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

March 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Bill No. 397, and the President was authorized to appoint a new Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Bill No. 397.

The President appointed the following members:

Senator Murphy, Chairman
Senator Manley
Senator Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate Bills were this day concurred in by the Senate:

House Amendments to Senate Bill No. 2
House Amendments to Senate Bill No. 92
House Amendments to Senate Bill No. 135
House Amendments to Senate Bill No. 164
House Amendments to Senate Bill No. 189
House Amendments to Senate Bill No. 245
House Amendments to Senate Bill No. 278
House Amendments to Senate Bill No. 315

House Amendments to Senate Bill No. 327

House Amendments to Senate Bill No. 337

House Amendments to Senate Bill No. 371

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted on roll call vote:

Free Conference Committee Report on Senate Amendments to House Bill No. 243

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 27, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 176, introduced by Gerke, McKittrick, et al

House Bill No. 177, introduced by Gerke, McKittrick, et al

House Bill No. 179, introduced by South, Gwynn, et al

House Bill No. 217, introduced by McKittrick

House Bill No. 395, introduced by Meloy, Holmes, et al

House Bill No. 453, introduced by Stoltz, Johnson, et al

House Bill No. 533, introduced by Conroy, Bengtson, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Fagg moved that Senate Bill No. 316 be taken from Third Reading and be placed on Second Reading on the Sixty-eighth Legislative Day.

Motion carried.

Bardanouve moved that Senate Bill No. 348 be taken from Second Reading and be rereferred to the Committee on Appropriations.

Motion carried.

Seifert moved that Senate Bill No. 21 be placed on Second Reading the Sixty-eighth Legislative Day.

Motion carried.

Kemmis moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 143.

Motion carried.

Lien moved that Senate Bill No. 27 be placed on Second Reading the Sixty-eighth Legislative Day.

Motion carried.

Jack Moore moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 73.

Rasmussen moved as a substitute motion that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 73.

Motion failed.

Thereupon, the original motion carried.

Gerke moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 342.

Motion carried.

Bardanouve moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 154.

Motion carried.

Menahan moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 446.

Motion carried.

Harper moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 400.

Motion carried.

Jacobsen moved that the Speaker be authorized to appoint a joint

conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 367.

Motion carried.

Meloy moved that the Speaker be authorized to appoint a new free joint conference committee of three to meet with a like committee from the Senate to confer on Senate Bill No. 397.

Motion carried.

Yardley moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 599.

Motion carried.

Stoltz moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 8.

Motion carried.

Brand moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 130.

Motion carried.

Dassinger moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 113.

Motion carried.

Gunderson moved that the Speaker be authorized to appoint a new joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 627.

Motion carried.

Lien moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 184.

Motion carried.

Dussault moved that the House reconsider its action in failing to pass Senate Bill No. 275 on Third Reading this day.

As a substitute motion, Lockrem moved that the motion to reconsider be laid on the table.

Motion failed.

Thereupon, the original motion carried.

Dussault moved that Senate Bill No. 275 be placed on Second Reading the Sixty-eighth Legislative Day.

As a substitute motion, Kvaalen moved that Senate Bill No. 275 be rereferred to the Committee on Rules.

Motion failed.

Thereupon, the original motion carried.

Fagg moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 512.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on House Amendments to House Bill No. 557.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 78 was concurred in by the following vote:

Ayes: Aageson, C. P. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Shelden, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 82.

Noes: Babcock, Ellison, Guthrie, Hubing, Kropp, Mercer, Scully, Seifert, Smith, Wood, Wyrick. Total 11.

Excused: Day, James Moore, Sivertsen, Sloan. Total 4.

Absent or not voting: Palmer, Robbins, Schye. Total 3.

The Governor's amendments to Senate Bill No. 108 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellison, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 70.

Noes: C. R. Anderson, J. Anderson, Asher, Babcock, Brand, Casey, Ellerd, Ellis, Fagg, Gould, Guthrie, Hager, Johnston, Kropp, Lockrem, Lory, Lund, Mercer, Seifert, Smith, Underdal, Wood, Wyrick. Total 23.

Excused: Day, James Moore, Sivertsen, Sloan. Total 4.

Absent or not voting: Finley, Robbins, Schye. Total 3.

Senate Bill No. 221 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 86.

Noes: Asher, Fabrega, Guthrie, Jack Moore, Seifert, Smith, Tropila, Mr. Speaker. Total 8.

Excused: Day, James Moore, Sivertsen, Sloan. Total 4.

Absent or not voting: Robbins, Schye. Total 2.

Senate Bill No. 230 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 79.

Noes: Asher, Barrett, Bertelsen, Brand, Casey, Ellison, Gould, Kropp, McFadden, Manuel, Marks, Mercer, Smith, Tropila, Wyrick. Total 15.

Excused: Day, James Moore, Sivertsen, Sloan. Total 4.

Absent or not voting: Robbins, Schye. Total 2.

Senate Bill No. 233 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lund, Lynch, Magone, Marks, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Scully, Shelden, South, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker. Total 69.

Noes: Asher, Barrett, Casey, Ellerd, Ellis, Ellison, Gould, Guthrie, Gwynn, Harper, Hubing, Lory, Luebeck, McFadden, Manuel, Mercer, Jack Moore, Quilici, Seifert, Smith, Staigmiller, Teague, Tropila, Wolfe, Wyrick. Total 25.

Excused: Day, James Moore, Sivertsen, Sloan. Total 4.

Absent or not voting: Robbins, Schye. Total 2.

Senate Bill No. 246 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Gerke, Gilligan, Gould, Gunderson, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Lester, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Sheldon, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 59.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Conroy, Ellerd, Ellison, Fishbaugh, Fleming, Guthrie, Gwynn, Hageman, Hager, Hubing, Jacobsen, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, Manuel, Mercer, Seifert, Smith, South, Staigmiller, Underdal, Wood, Wyrick. Total 35.

Excused: Day, James Moore, Sivertsen, Sloan. Total 4.

Absent or not voting: Robbins, Schye. Total 2.

Driscoll moved that the House adjourn until 10:00 a.m., March 28, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 28, 1975

House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Day and Kropp, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 8: Stoltz, Chairman, Magone and Asher.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 73: McFadden, Chairman, Jack Moore and Rasmussen.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 130: Brand, Chairman, Teague and Hubing.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 154: Bardanouve, Chairman, Holmes and Gould.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 184: Lien, Chairman, Huennekens, and Ellerd.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 342: Gerke, Chairman, South and Jack Moore.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 367: Jacobsen, Chairman, Lien and Lund.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on Senate Bill No. 397: Manuel, Chairman, Conroy and Wyrick.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 400: Harper, Chairman, Vincent and Fabrega.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 446: Menahan, Chairman, Dussault and Babcock.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 512: Kimble, Chairman, Bradley, and Fagg.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 557: Driscoll, Chairman, Kemmis and Schye.

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 627: Bengtson, Chairman, Gunderson and Smith.

REPORTS OF STANDING COMMITTEES

March 28, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on March 27, 1975: Senate Bills Nos. 39, 51, House Bills Nos. 247, 454, 513, House Joint Resolution No. 47.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

March 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 181, introduced by Teague, Vincent
Respectfully yours,

John N. Hanson
Secretary of the Senate

March 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 10, introduced by Yardley, Stoltz
Respectfully yours,

John N. Hanson
Secretary of the Senate

March 27, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 153, introduced by Bardanouve, Meloy, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Scully moved that the Senate Amendments to House Bill No. 666 on Second Reading be placed at the top of the board.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 175 was concurred in by the following vote:

Ayes: C. R. Anderson, Asher, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Sheldon, South, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 74.

Noes: Aageson, Bardanouve, Ellison, Guthrie, Mercer, O'Connell, Seifert, Sivertsen, Smith, Staigmiller, Tropila, Wood, Wyrick. Total 13.

Excused: Day, Kropp. Total 2.

Absent or not voting: J. Anderson, Babcock, Brand, Dassinger, Fabrega, Kanduch, Meloy, Murphy, Palmer, Sloan, Travis. Total 11.

Senate Bill No. 227 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Jack Moore, James Moore, Mular, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 80.

Noes: Asher, Ellerd, Ellison, Gwynn, Hager, Hubing, Lockrem, Marks, Mercer, O'Connell, Teague, Tropila, Wyrick. Total 13.

Excused: Day, Kropp. Total 2.

Absent or not voting: Babcock, Brand, Kanduch, Meloy, Murphy. Total 5.

Senate Amendments to House Bill No. 13 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Asher, Brand, Kanduch, Murphy. Total 4.

Senate Amendments to House Bill No. 45 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Babcock, Bradley, Brand, Driscoll, Gerke, Gould, Kanduch, Luebeck, Meloy, James Moore, Murphy. Total 11.

Senate Amendments to House Bill No. 93 were concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: C. R. Anderson, Ellison. Total 2.

Excused: Day, Kropp. Total 2.

Absent or not voting: Brand, Murphy, Schye. Total 3.

Senate Amendments to House Bill No. 95 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Ellison, Guthrie, Mercer, Schye, Sivertsen, Smith. Total 6.

Excused: Day, Kropp. Total 2.

Absent or not voting: Brand, Murphy, Thomas. Total 3.

Senate Amendments to House Bill No. 110 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Barrett. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Murphy. Total 1.

Senate Amendments to House Bill No. 112 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Babcock, Fabrega, Hubing, Jack Moore, Sivertsen, Smith. Total 6.

Excused: Day, Kropp. Total 2.

Absent or not voting: Ellison, Kummerfeldt, Luebeck, Murphy. Total 4.

Senate Amendments to House Bill No: 125 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Bardanouve, Mular. Total 2.

Excused: Day, Kropp. Total 2.

Absent or not voting: McFadden, Murphy, South. Total 3.

Senate Amendments to House Bill No. 140 were concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Aageson. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Gerke, Hageman, Meloy, Murphy. Total 4.

Senate Amendments to House Bill No. 144 were concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly,

Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 88.

Noes: Aageson, Finley, Mercer, Sivertsen, Smith, Wyrick. Total 6.

Excused: Day, Kropp. Total 2.

Absent or not voting: Driscoll, Lien, Meloy, Murphy. Total 4.

Senate Amendments to House Bill No. 155 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Jacobsen, Meloy, Murphy, Scully. Total 4.

Senate Amendments to House Bill No. 173 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Jack Moore. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Meloy, Murphy. Total 2.

Senate Amendments to House Bill No. 207 were concurred in by the following vote:

Ayes: Aageson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger,

Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: C. R. Anderson, J. Anderson, Smith. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Gunderson, Meloy, Murphy, Thomas. Total 4.

Senate Amendments to House Bill No. 290 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Sivertsen, Smith. Total 2.

Excused: Day, Kropp. Total 2.

Absent or not voting: Meloy, Murphy. Total 2.

Senate Amendments to House Bill No. 299 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Meloy, Mercer, Murphy, Scully. Total 4.

Senate Amendments to House Bill No. 303 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Holmes. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Mercer, Murphy, Scully. Total 3.

Senate Amendments to House Bill No. 305 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Jack Moore, Richards. Total 2.

Excused: Day, Kropp. Total 2.

Absent or not voting: Ellis, Gerke, Murphy, Scully. Total 4.

Senate Amendments to House Bill No. 307 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Hager, Mercer, Sivertsen. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Murphy, Scully. Total 2.

Senate Amendments to House Bill No. 309 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Gwynn, Richards, Staigmiller. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Meloy, Murphy, Scully, Wolfe, Wood. Total 5.

Senate Amendments to House Bill No. 354 were concurred in by the following vote:

J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Aageson, C.R. Anderson, Bengtson, Casey, Ellison, Guthrie, McFadden, Smith, Staigmiller. Total 9.

Excused: Day, Kropp. Total 2.

Absent or not voting: Asher, Murphy, Richards, Scully. Total 4.

Senate Amendments to House Bill No. 356 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins,

Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 94.

Noes: Asher, Wyrick. Total 2.

Excused: Day, Kropp. Total 2.

Absent or not voting: Murphy, Scully. Total 2.

Senate Amendments to House Bill No. 368 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Hager, Jack Moore, Sivertsen. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Bengtson, Murphy, Scully. Total 3.

Senate Amendments to House Bill No. 396 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Asher, Bertelsen, Ellerd, Ellison, Hubing, Jack Moore, Schye, Smith. Total 8.

Excused: Day, Kropp. Total 2.

Absent or not voting: Murphy, Scully. Total 2.

Senate Amendments to House Bill No. 409 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper,

Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Gunderson, Meloy, Murphy, Scully. Total 4.

Senate Amendments to House Bill No. 416 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Underdal. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Murphy, Scully. Total 2.

Senate Amendments to House Bill No. 419 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Manuel, Murphy, Scully. Total 3.

Senate Amendments to House Bill No. 436 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker. Total 89.

Noes: Asher, Bardanouve, Ellison, Jack Moore, Staigmilller. Total 5.

Excused: Day, Kropp. Total 2.

Absent or not voting: Murphy, Rasmussen, Wolfe, Yardley. Total 4.

Senate Amendments to House Bill No. 447 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Jack Moore. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Harper, Murphy, Robbins, Scully, South. Total 5.

Senate Amendments to House Bill No. 451 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Mercer. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Murphy, Robbins. Total 2.

Senate Amendments to House Bill No. 452 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Hager, Hubing, Mercer, Schye. Total 4.

Excused: Day, Kropp. Total 2.

Absent or not voting: Holmes, Meloy, Murphy, O'Connell. Total 4.

Senate Amendments to House Bill No. 455 were concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: C. R. Anderson. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Murphy, Staigmillier. Total 2.

Senate Amendments to House Bill No. 463 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier,

Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Robbins, Scully. Total 2.

Senate Amendments to House Bill No. 471 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Hager, Mercer, Jack Moore, Underdal. Total 4.

Excused: Day, Kropp. Total 2.

Absent or not voting: Robbins, Scully. Total 2.

Senate Amendments to House Bill No. 507 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 96.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Scully, Yardley. Total 2.

Senate Amendments to House Bill No. 518 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch,

Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 90.

Noes: Ellis, Richards, Travis, Underdal. Total 4.

Excused: Day, Kropp. Total 2.

Absent or not voting: Babcock, Scully, Wood, Yardley. Total 4.

Senate Amendments to House Bill No. 531 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Bertelsen, Ellison, Hubing. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Bardanouve, Scully, Wood. Total 3.

Senate Amendments to House Bill No. 565 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Scully, Wood. Total 2.

Senate Amendments to House Bill No. 571 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth,

W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 89.

Noes: Gwynn, McFadden, Jack Moore. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Bardanouve, Bradley, Meloy, Robbins, Scully, Yardley. Total 6.

Senate Amendments to House Bill No. 579 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Hubing, Mercer, Jack Moore. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Scully, Wood. Total 2.

Senate Amendments to House Bill No. 637 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 79.

Noes: Asher, Casey, Ellison, Fabrega, Finley, Gwynn, Halvorson, Johnston, McFadden, Mercer, Jack Moore, Robbins, Staigmiller, Underdal, Wyrick. Total 15.

Excused: Day, Kropp. Total 2.

Absent or not voting: Gould, Meloy, Scully, Wood. Total 4.

Senate Amendments to House Bill No. 643 were taken from Third Reading and placed on Second Reading.

Senate Amendments to House Bill No. 646 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Hubing. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Fleming, Johnson, Meloy, Scully, Wood. Total 5.

Senate Amendments to House Bill No. 678 were concurred by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Bengtson, Finley, Jacobsen. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Johnson, Scully. Total 2.

Senate Amendments to House Bill No. 699 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore,

Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Johnson, Scully. Total 2.

Senate Amendments to House Joint Resolution No. 45 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: James Moore. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Finley, Scully. Total 2.

Senate Amendments to House Joint Resolution No. 48 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Mercer, Jack Moore, Sivertsen. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Ellison, Finley, Lund, James Moore, Scully. Total 5.

Conference Committee Report on House Bill No. 9 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg,

Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Casey, Ellison, Hager, Hubing, Kvaalen, McFadden, Mercer, Jack Moore, Schye, Sivertsen, Smith. Total 11.

Excused: Day, Kropp. Total 2.

Absent or not voting: Gerke, Meloy, James Moore, Scully. Total 4.

Conference Committee Report on House Bill No. 106 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Aageson, Travis. Total 2.

Excused: Day, Kropp. Total 2.

Absent or not voting: Babcock, Gerke, Meloy, James Moore, Scully, Sivertsen. Total 6.

Free Conference Committee Report on House Bill No. 195 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Huennekens, Johnston, Sloan. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Bardanouve, Casey, Gerke, Gould, Meloy, James Moore, Scully. Total 7.

Free Conference Committee Report on House Bill No. 202 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Day, Kropp. Total 2.

Absent or not voting: Bertelsen, Gerke, Meloy, James Moore, Scully. Total 5.

Free Conference Committee Report on House Bill No. 243 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Gunderson. Total 1.

Excused: Day, Kropp. Total 2.

Absent or not voting: Gerke, Meloy, James Moore, Scully. Total 4.

Conference Committee Report on House Bill No. 418 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Ellison, Mercer, Underdal. Total 3.

Excused: Day, Kropp. Total 2.

Absent or not voting: Gerke, Meloy, James Moore, Scully, Smith. Total 5.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Stoltz in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 28, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 666 be concurred in. (64-13)

That Senate Bill No. 13 be amended as follows:

1. Amend Taxation Committee amendments of March 27, 1975, Amendment No. 6, insertion paragraph 7, line 12.

Following: "of the"

Strike: "contract sale price of"

Insert: "severance taxes paid on" (79-2)

And be further amended:

2. Amend page 16, section 14, line 21.

Following: "Class 9."

Strike: "Forty per cent (40%)"

Insert: "Forty-five percent (45%)" (82-3)

And be further amended:

3. Amend title, line 7.

Strike: "twenty-five percent (25%)"

Insert: "twenty-eight and one-half percent (28.5%)"

4. Amend page 4, section 3, lines 20, 22 and 24 and page 5, line 1.

Strike on each line: "twenty-five percent (25%)"

Insert: "twenty-eight and one-half percent (28.5%)" (60-34)

And as amended, be concurred in. (63-33)

That the Committee rise and report and beg leave to sit again.

STOLTZ, Chairman

Report adopted.

House recessed.

House resumed. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 599: Yardley, Chairman, Scully and Underdal.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 113: Dassinger, Chairman, Sheldon, and Fabrega.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 143: Kemmis, Chairman, South, and Fagg.

REPORTS OF STANDING COMMITTEES

March 28, 1975

I have examined House Bill No. 216 introduced by me and find the same to be correct.

JAMES MOORE

March 28, 1975

I have examined House Bill No. 353 introduced by me and find the same to be correct.

DUSSAULT

March 28, 1975

I have examined House Bill No. 358 introduced by me and find the same to be correct.

BENGTSON

March 28, 1975

I have examined House Bill No. 638 introduced by me and find the same to be correct.

ELLIS

March 28, 1975

I have examined House Joint Resolution No. 4 introduced by me and find the same to be correct.

LESTER

March 28, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Bills Nos. 216, 353, 358, 638, House Joint Resolution No. 4.

QUILICI, Chairman

March 28, 1975

The following bills and resolution will be signed on adjournment on March 28, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 216, 353, 358, 638, House Joint Resolution No. 4.

Edwin A. Smith, Chief Clerk
House of Representatives

March 28, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 378, respectfully report as follows: That Senate Bill No. 378 be amended as follows: Amend the House Committee on Public Health, Welfare and Safety amendments to Senate Bill No. 378, dated March 20, 1975, and the Third Reading copy as follows:

1. Amend House Committee on Public Health, Welfare and Safety Amendment No. 2.

Strike: Amendment No. 2 in its entirety.

2. Amend page 3, section 3, line 25.

Strike: "be on a formula of"

Insert: "not exceed"

3. Amend page 4, section 3, line 1.

Strike: all of lines 1 through 6.

Insert: "fifty percent (50%) of the budget approved by the department of institutions."

4. Amend page 4, section 3, subsection (2), line 18.

Strike: "may"

Insert: "shall"

And as amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

March 26, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 273, respectfully report as follows: That Senate Bill No. 273 be not concurred in.

YARDLEY, Chairman

MESSAGES FROM THE OTHER HOUSE

March 28, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion this day, duly carried, requests the return of House Bill No. 10 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that the House reconsider its action of the previous legislative day in passing Senate Bill No. 221 on Third Reading and that it be placed on Second Reading this day.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 28, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 220, respectfully report as follows: That Senate Bill No. 220 be amended in the Third Reading copy as follows:

1. Amend in the title, page 1, line 5.

Strike: "sections"

Insert: "section"

2. Amend in the title, page 1, line 5.

Following: "84-1502"

Strike: "and 84-4905"

3. Amend in the title, page 1, line 6.

Following: "corporations"

Strike: "and individuals"

4. Amend page 6, section 2, line 11.

Strike: section 2 in its entirety, and renumber subsequent sections.

5. Amend page 10, new section 4, line 7.

Following: "counties"

Insert: ", cities, towns and school districts"

6. Amend page 10, new section 4, lines 8 through 15.

Following: "the"

Strike: all material remaining in new section 4.

Insert: "general obligation bonded indebtedness of all counties, cities, towns, and school districts in the state."

7. Amend page 10, new section 5, line 19.

Following: "84-1502"

Strike: "and 84-4905"

8. Amend page 10, new section 5, line 21.

Following: "corporation"

Strike: "or individual"

9. Amend page 10, new section 5, line 25.

Following: "84-1502"

Strike: "or 84-4905"

And as amended, be not concurred in.

YARDLEY, Chairman

Objection raised by Yardley on the adverse committee report on Senate Bill No. 220. Referred to Second Reading.

March 28, 1975

I have examined House Bill No. 362 introduced by me and find the same to be correct.

KIMBLE

March 28, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 362.

QUILICI, Chairman

March 28, 1975

The following bill will be signed on adjournment on March 28, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 362.

Edwin A. Smith, Chief Clerk
House of Representatives

March 28, 1975

The following bills and resolution will be signed on adjournment on March 28, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 3, 77, 88, 158, 207, 229, 234, 248, 296, 313, 323, 325, 343, 344, 355, 359, 363, 398, Senate Joint Resolution No. 12.

Edwin A. Smith, Chief Clerk
House of Representatives

March 28, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be terminated by the House of Representatives for the 44th Session at the close of business March 14, 1975:

Robert Stephens, Jr.....Guard

At the close of business March 22, 1975, the following also be terminated:

Joseph Casey.....Page

At the close of business March 28, 1975, the following also be terminated:

James EricksonResearcher

Susan RoyResearcher

Ken PorterResearcher

Tom Binsted.....Researcher

Danny Oberg.....Assistant Sergeant At Arms

At the close of business March 29, 1975, the following also be terminated:

Shellie RindallPage

Ann LebarPage

Jodee JacksonPage

Debbie Anderson.....Page

Patricia WidhalmPage

Nancy Espelin.....Page

Greg DalyPage

Leona DuffyPage

Kathy Webster.....Page

LYNCH, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 28, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on third reading, not concurred in, and the said bill is herewith returned to the House:

House Bill No. 664, introduced by Conroy, Lien

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 28, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 103, introduced by Jacobsen, Lien, et al

House Bill No. 161, introduced by Kimble, Bradley, et al

House Bill No. 274, introduced by Wm. Baeth, Dassinger, et al

House Bill No. 282, introduced by Gunderson, Brand

House Bill No. 412, introduced by Meloy, Huennekens, et al

House Bill No. 420, introduced by Richards, Bardanouve, et al

House Bill No. 443, introduced by Kimble, Mular, et al

House Bill No. 480, introduced by Ellerd, Casey, et al

House Bill No. 583, introduced by Aageson, Sivertsen, et al

House Bill No. 607, introduced by Meloy, Huennekens

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 28, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 263 as amended in committee, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, was this day read three several times, and failed to receive a two-thirds affirmative vote of the legislature, and is herewith returned to the House with the following vote:

HOUSE OF REPRESENTATIVES

YEAS - 70

NAYS - 28

SENATE

YEAS - 25

NAYS - 25

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 28, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 493, introduced by Jim Moore, Vincent, et al

House Bill No. 562, introduced by Murphy

House Bill No. 563, introduced by Murphy

House Bill No. 676, introduced by Jim Moore, Harper, et al

House Bill No. 691, introduced by Jim Moore, Quilici, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Stoltz in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 28, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 21 be amended as follows:

1. Amend page 3, section 1, line 2.

Following: "assault"

Insert: "(except aggravated assault as defined in Section 94-5-202, (1) (c))" (75-12)

And as amended, be not concurred in. (51-46)

That Senate Bill No. 27 be amended as follows:

1. Amend the title, lines 5 and 6.

Strike: "sixty thousand dollars (\$60,000)"

Insert: "forty-five thousand dollars (\$45,000)"

2. Amend page 1, section 1, line 12.

Strike: "sixty thousand dollars (\$60,000)"

Insert: "forty-five thousand dollars (\$45,000)"

3. Amend page 1, section 1, line 16.

Strike: "sixty thousand dollars (\$60,000)"

Insert: "forty-five thousand dollars (\$45,000)"

4. Amend page 4, section 1, lines 9 and 10.

Strike: "sixty thousand dollars (\$60,000)"

Insert: "forty-five thousand dollars (\$45,000)"

5. Amend page 4, section 1, lines 11 and 12.

Strike: "sixty thousand dollars (\$60,000)"

Insert: "forty-five thousand dollars (\$45,000)" (56-15)

And as amended, be not concurred in. (53-44)

That Senate Bill No. 124 be amended as follows:

1. Amend page 6, section 1, subsection (28), line 23.

Following: "that"

Insert: "it is highly probable that"

2. Amend page 6, section 1, subsection (28), lines 23 and 24.

Following: "result"

Strike: "is practically certain to"

Insert: "will" (66-10)

And as amended, be concurred in. (64-15)

That Senate Bill No. 236 be amended as follows:

1. Amend title, page 1, line 10.

Following: "nonresident"

Strike: "elk and"

2. Amend title, page 1, line 10.

Following: "tags;"

Insert: "to provide for B-10 nonresident big game combination license;"

3. Amend title, page 1, line 11.

Following: "nonresident"

Strike: "elk tags"

Insert: "big game combination licenses"

4. Amend page 2, section 1, subsection (2), lines 8 and 9.

Following: "[(\$5)]"

Strike: "two dollars and fifty cents (\$2.50)"

Insert: "five dollars (\$5)"

5. Amend page 3, section 1, subsection (3), line 5.

Following: "B-5,"

Insert: "B-6"

6. Amend page 3, section 1, subsection (3), line 6.

Strike: "B-9 or a special antelope"

Insert: "or B-10"

7. Amend page 3, section 1, subsection (3), lines 7 and 8.

Following: "[(\$5)]"

Strike: "three dollars (\$3)"

Insert: "five dollars (\$5)"

8. Amend page 3, section 1, subsection (4), line 22.

Strike: "four dollars (\$4)"

Insert: "seven dollars (\$7)"

9. Amend page 3, section 1, subsection (4), line 23.

Following: "[(\$7)]"

Strike: "ten dollars (\$10)"

Insert: "seven dollars (\$7)"

10. Amend page 3, section 1, subsection (4), line 24.

Following: "[(\$3)]"

Strike: "ten dollars (\$10)"

Insert: "eight dollars (\$8)"

11. Amend page 5, section 1, subsection (7), line 5.

Following: "Nonresident"

Strike: "Big Game"

Insert: "Combination"

12. Amend page 7, section 1, subsection (10), line 1.

Following: "a"

Strike: "nonresident conservation"

Insert: "class B-2 nonresident combination"

13. Amend page 7, section 1, subsection (10), line 7.

Following: "B-7"

Strike: ","

Insert: "and"

14. Amend page 7, section 1, subsection (11), line 7.

Following: "B-8"

Strike: "B-9"

15. Amend page 7, section 1, subsection (11), line 16.

Strike: line 16 in its entirety.

16. Amend page 7, section 1, subsection (11), following line 21.

Insert: a new subsection and renumber subsequent subsections.

“(12) B-10 nonresident big game combination license. Any person not a resident as defined in section 26-202.3, but who is twelve (12) years of age or older may, upon payment of the proper fee or fees and subject to the limitations prescribed by law and commission regulation, be entitled to apply to the fish and game office, Helena, Montana, to purchase a B-10 nonresident big game combination license for two hundred thirty-five dollars (\$235) which shall entitle the holder to all the privileges of a B-2 nonresident combination license, a deer A tag, and elk tag and a black bear license. This license includes the nonresident conservation license as prescribed in section 26-230.”

17. Amend page 8, section 1, present subsection (12), lines 12 and 13.

Following: “(\$5)”

Strike: “, nonresident twenty-five dollars (\$25)”

18. Amend page 8, section 1, present subsection (12), lines 18 and 19.

Following: “nonresident”

Strike: “thirty-five dollars (\$35)”

Insert: “fifty dollars (\$50)”

19. Amend page 8, section 1, present subsection (12), line 25.

Following: “valid”

Insert: “resident”

20. Amend page 9, section 1, present subsection (12), line 1.

Strike: “special”

21. Amend page 9, section 1, present subsection (12), line 1.

Following: “number of”

Strike: “special”

22. Amend page 9, section 1, present subsection (12), line 3.

Following: “number of”

Strike: “special”

23. Amend page 11, section 1, present subsection (15) (f), line 5.

Following: “or”

Strike: “B-9”

Insert: “B-10”

24. Amend page 11, section 1, present subsection (15) (f), line 12.

Following: “and”

Strike: “B-9”

Insert: “B-10”

25. Amend page 11, section 1, present subsection (15) (f), lines 15 through 19.

Following: “nonresident”

Strike: the remainder of subsection (f) in its entirety.

Insert: “big game combination licenses (B-10) may be sold in any one license year.”

26. Amend page 13, section 1, present subsection (20), line 17.

Following: “Class”

Strike: “B-2”

Insert: “B-10”

27. Amend page 13, section 1, present subsection (20), line 18.
Following: "nonresident"
Insert: "big game"

28. Amend page 13, section 1, present subsection (20), line 18.
Following: "license"
Strike: "and valid elk tag" (47-43)

And be further amended:

29. Amend page 3, section 1, line 23.
Following: "[(\$7)]"
Strike: "ten dollars (\$10)"
Insert: "five dollars (\$5)"

30. Amend page 3, section 1, line 24.
Following: "[(\$3)]"
Strike: "ten dollars (\$10)"
Insert: "five dollars (\$5)"

31. Amend page 5, section 1, lines 12 and 13.
Following: "[(\$150)]"
Strike: "fifty dollars (\$50)"
Insert: "forty dollars (\$40)"

32. Amend page 7, section 1, lines 14 and 15.
Following: "Tag"
Strike: "fifty dollars (\$50)"
Insert: "forty dollars (\$40)"

33. Amend page 7, section 1, line 16.
Following: "Tag"
Strike: "one hundred twenty-five dollars (\$125)"
Insert: "one hundred dollars (\$100)"

34. Amend page 11, section 1, line 14.
Following: "[(18,000)]"
Strike: "sixteen thousand (16,000)"
Insert: "eighteen thousand (18,000)"

35. Amend page 11, section 1, line 16.
Following: "[year]"
Strike: lines 16 through 19 in their entirety.
Insert: "any one license year." (48-40)

(Material in brackets denotes cancelled type.)

Helmbrecht replaces Stoltz in the Chair.

Stoltz resumes the Chair.

Mercer and Sivertsen excused at this time.

And as amended, be concurred in. (51-47)

Yardley replaces Stoltz in the Chair.

That Senate Bill No. 275 be amended as follows:

1. Amend Education Committee Amendments to the Third Reading copy.
Following: "following the issuance of individual teacher contracts."
Insert: "In the event that no master agreement has been ratified prior to or within the twenty (20) day period following the date set for commencement of the school year, any refusal by teachers to return to work after such twenty day period shall be deemed a strike." (44-41)

And as amended, be concurred in. (51-48)

Stoltz resumes the Chair.

That Senate Bill No. 277 be concurred in. (50-38)

That Senate Bill No. 316 be concurred in. (57-22)

That Senate Bill No. 395 be amended as follows:

1. Amend Natural Resources Committee Amendments, section 11, subsection (6).

Strike: "adversely affect"

Insert: "substantially destroy" (65-5)

And as amended, be concurred in. (59-14)

That House Bill No. 338 and House Resolution No. 5 be passed below Senate Bill No. 221 on the board.

That Senate Bill No. 221 be amended as follows:

1. Amend Judiciary Committee Amendments dated March 27, 1975, Amendment number 4, page 2, subsection (8), line 6.

Following: "means reasonable"

Insert: "charges incurred for, or the" (67-0)

And as amended, be concurred in. (44-26)

That the Committee rise and report.

STOLTZ, Chairman

Jim Moore moved that Senate Bill No. 221 be segregated from the Committee of the Whole report and as amended be adopted.

Motion withdrawn.

Thereupon, the report was adopted.

MOTIONS

Hageman moved that a definitive ruling be made on the use of pairs.

Motion carried.

Driscoll moved that House Bill No. 263 be rereferred to the Joint Committee on Rules.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., March 31, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 29, 1975

House Chambers
Capitol Building

The House did not convene.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTIETH LEGISLATIVE DAY

Helena, Montana
March 31, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Dassinger, Fleming, Conroy, Hageman, O'Connell and Sivertsen, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 31, 1975

The following bills and resolutions will be signed on adjournment on March 31, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 79, 84, 98, 119, 190, 195, 197, 198, 199, 200, 212, 216, 328, 375, Senate Joint Resolutions Nos. 16, 25.

Edwin A. Smith, Chief Clerk
House of Representatives

March 31, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 28, 1975: House Bills Nos. 216, 353, 358, 362, 638, House Joint Resolution No. 4, Senate Bills Nos. 3, 77, 88, 158, 207, 229, 234, 248, 296, 313, 323, 325, 343, 344, 355, 359, 363, 398, Senate Joint Resolution No. 12.

Edwin A. Smith, Chief Clerk
House of Representatives

March 31, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 24, respectfully report as follows: That Senate Bill No. 24 be concurred in.

BARDANOUE, Chairman

Report adopted.

March 31, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 291, respectfully report as follows: That Senate Bill No. 291 be concurred in.

BARDANOUE, Chairman

Report adopted.

MESSAGE FROM THE GOVERNOR

March 31, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor, I hereby veto Senate Bill No. 292, "An act to provide that the State Treasurer be an elected official, and providing for election, qualifications, duties and vacancy in office." I exercise this veto for two reasons.

First, the Office of the Treasurer is the only statewide office deleted from the list of executive offices to be elected in a statewide election under Montana's new Constitution. The action taken by the Constitutional Convention and the subsequent approval of the new Constitution by the people of Montana indicates that the Office of Treasurer is the one office in the executive branch that can be filled by appointment rather than by election. My veto of Senate Bill No. 292 simply reaffirms the vote of the people in 1972.

Second, the functions performed by the State Treasurer have already been transferred to the Department of Administration for administrative purposes under Montana's Executive Reorganization Act. An examination of the law indicates that the duties of the Treasurer are purely ministerial and that there is no need to elect a State Treasurer. The functions can be adequately performed by a person appointed by the Director of the Department of Administration.

I thank you for your careful consideration of this matter.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 512.

The President appointed the following members:

Senator Regan, Chairperson
Senator Roskie
Senator Manley

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 557.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Graham
Senator Aber

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 599.

The President appointed the following members:

Senator Roberts, Chairman
Senator Romney
Senator Story

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 446.

The President appointed the following members:

Senator Lynch, Chairman
Senator Norman
Senator Goodover

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 400.

The President appointed the following members:

Senator Regan, Chairman
Senator R. Smith
Senator Dunkle

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 367.

The President appointed the following members:

Senator Towe, Chairman
Senator Warden
Senator Kolstad

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 342.

The President appointed the following members:

Senator Greely, Chairman
Senator Fasbender
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 184.

The President appointed the following members:

Senator Jergeson, Chairman
Senator Murphy
Senator Rosell

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 154.

The President appointed the following members:

Senator Norman, Chairman
Senator Seibel
Senator Olson

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 143.

The President appointed the following members:

Senator Romney, Chairman
Senator Murphy
Senator Story

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 130.

The President appointed the following members:

Senator Watt, Chairman
Senator Healy
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 113.

The President appointed the following members:

Senator Watt, Chairman
Senator Healy
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 73.

The President appointed the following members:

Senator Norman, Chairman
Senator Greely
Senator Himsl

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 8.

The President appointed the following members:

Senator Seibel, Chairperson
Senator Mehrens
Senator Stephens

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 379, and the President was authorized to appoint a Conference Committee,

and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 379.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Murphy
Senator Goodover

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 367, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 367.

The President appointed the following members:

Senator Colberg, Chairman
Senator Greely
Senator Olson

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 354, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 354.

The President appointed the following members:

Senator Devine, Chairman
Senator Roberts
Senator Galt

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 329, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 329.

The President appointed the following members:

Senator Colberg, Chairman
Senator Greely
Senator Olson

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Third Reading, not concurred in as amended, and the said bill is herewith returned to the House:

House Bill No. 648, introduced by Lynch

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee of the Whole, recommended that further action be indefinitely postponed, as amended, report adopted, and the said bills are herewith returned to the House:

House Bill No. 196, introduced by Meloy, Holmes, et al

House Bill No. 490, introduced by Jim Moore, Harper, et al

House Bill No. 620, introduced by Scully, Vincent, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to the following Senate Bills and Senate Joint Resolution were this day concurred in by the Senate:

House Amendments to Senate Bill No. 23

House Amendments to Senate Bill No. 161

House Amendments to Senate Bill No. 217

House Amendments to Senate Bill No. 255

House Amendments to Senate Bill No. 268

House Amendments to Senate Bill No. 300

House Amendments to Senate Bill No. 310

House Amendments to Senate Bill No. 331

House Amendments to Senate Bill No. 339

House Amendments to Senate Joint Resolution No. 22

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No. 57.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was on this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 334, introduced by Luebeck, Barrett, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills and resolution are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 267, introduced by Finley, R. Baeth, Jim Moore

House Bill No. 320, introduced by Thomas

House Bill No. 349, introduced by Day, Johnston, et al

House Bill No. 427, introduced by Kimble, Mular, et al

House Bill No. 434, introduced by Lory, Ellis

House Bill No. 435, introduced by Dussault, Finley, et al

House Bill No. 472, introduced by Bardanouve, Richards, et al

House Bill No. 492, introduced by Jim Moore, Vincent, et al

House Bill No. 516, introduced by Gunderson, Shelden

House Bill No. 519, introduced by Harper, Vincent, et al

House Bill No. 545, introduced by Dassinger, Aageson, et al

House Bill No. 569, introduced by Lien, Day

House Bill No. 650, introduced by Vincent, Bradley, et al

House Bill No. 656, introduced by Johnson, Lester, et al

House Joint Resolution No. 65, introduced by Asher, Marks

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 191, introduced by Murphy, Teague, et al

House Bill No. 392, introduced by Driscoll, Lynch

House Bill No. 549, introduced by McKittrick, Jack Moore, et al

House Bill No. 622, introduced by Kimble, Jack Moore, et al

House Bill No. 687, introduced by McKittrick, Vincent, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 29, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times, and passed, title and history agreed to, and the said bills and joint resolution are herewith returned to the House:

House Bill No. 127, introduced by Brand, Mular, et al

House Bill No. 266, introduced by Finley, R. Baeth, et al

House Bill No. 445, introduced by Travis, Dussault

House Joint Resolution No. 41, introduced by Jim Moore, Bradley, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 26, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 670, introduced by Vincent, Harper, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Lien moved that the House request the Senate to return Senate Bill No. 27 to the House and that the House reconsider its action in failing to pass Senate Bill No. 27 on Second Reading on the Sixty-eighth Legislative Day.

Motion carried.

Meloy moved that Senate Bill No. 332 be taken from the Committee on Rules and be rereferred to the Committee on Natural Resources.

Motion carried.

Yardley moved that consideration of Senate Bill No. 220 now on Second Reading be passed this legislative day.

Motion carried.

Driscoll moved that the joint rules be temporarily suspended to allow the introduction of a bill relating to a stricter speed limit.

Motion failed by a 48-43 vote.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 13 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Day, Driscoll, Dussault, Ellis, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, Smith, Staigmiller, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, C.R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Ellerd, Ellison, Fabrega, Fagg, Gould, Gwynn, Hager, Hubing, Johnston, Kvaalen, Lockrem, Lund, Marks, Mercer, Jack Moore, Schye, Seifert, Tropila, Underdal, Wood, Wyrick. Total 28.

Paired: Hageman, Aye; Lockrem, No.

Excused: Conroy, Dassinger, Fleming, O'Connell, Sivertsen. Total 5.

Absent or not voting: Jacobsen, Kropp, South. Total 3.

Senate Bill No. 124 was concurred in by the following vote:

Ayes: Aageson, C.R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 70.

Noes: Asher, Babcock, Barrett, Ellerd, Ellison, Fabrega, Guthrie, Hubing, Johnston, Kvaalen, Lockrem, Manuel, Marks, Mercer, Jack Moore, Schye, Seifert, Smith, Staigmiller, Tropila, Underdal, Wyrick. Total 22.

Excused: Conroy, Dassinger, Fleming, Hageman, O'Connell, Sivertsen. Total 6.

Absent or not voting: Jacobsen, Travis. Total 2.

Senate Bill No. 221 was concurred in by the following vote:

Ayes: C.R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Mercer, Jack Moore, Murphy, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Yardley. Total 74.

Noes: Aageson, Asher, Casey, Fabrega, Johnston, Kanduch, Kvaalen, Marks, Menahan, James Moore, Mular, Robbins, Seifert, Smith, Staigmiller, Tropila, Wyrick, Mr. Speaker. Total 18.

Excused: Conroy, Dassinger, Fleming, Hageman, O'Connell, Sivertsen. Total 6.

Absent or not voting: Jacobsen, Travis. Total 2.

Senate Bill No. 236 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, Bardanouve, Bradley, Day, Driscoll, Dussault, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Lester, Lockrem, Luebeck, Lund, Lynch, Magone, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Scully, Sloan, South, Stoltz, Teague, Travis, Vincent, Williams, Wood, Yardley, Mr. Speaker. Total 50.

Noes: J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Ellerd, Ellis, Ellison, Fabrega, Gunderson, Guthrie, Gwynn, Hageman, Hager, Hubing, Johnston, Kanduch, Kendall, Kropp, Kummerfeldt, Lien, Lory, McFadden, Manuel, Mercer, Jack Moore, Robbins, Schye, Seifert, Shelden, Smith, Staigmiller, Thomas, Tropila, Underdal, Wolfe, Wyrick. Total 42.

Paired: Huennekens, Aye; Hageman, No.

Excused: Conroy, Dassinger, Fleming, O'Connell, Sivertsen. Total 5.

Absent or not voting: Jacobsen, Kvaalen, Marks. Total 3.

Senate Bill No. 275 was not concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Driscoll, Dussault, Federico, Gerke, Gilligan, Gould, Gunderson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Lester, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Palmer, Quilici, Richards, Scully, Shelden, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Yardley, Mr. Speaker. Total 45.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Casey, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Guthrie, Gwynn, Hageman, Hager, Halvorson, Hubing, Johnston, Kanduch, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, Manuel, Marks, Mercer, Jack Moore, Murphy, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Sloan, Smith, Staigmillier, Underdal, Wolfe, Wood, Wyrick. Total 50.

Paired: Meloy, Palmer, Ayes; Hageman, Sivertsen, Noes.

Excused: Conroy, Dassinger, Fleming, O'Connell. Total 4.

Absent or not voting: Jacobsen. Total 1.

Senate Bill No. 277 was not concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Bengtson, Bertelsen, Bradley, Casey, Day, Dussault, Ellerd, Ellison, Fabrega, Fagg, Gilligan, Hager, Halvorson, Harper, Holmes, Hubing, Johnson, Johnston, Kemmis, Kimble, Kropp, Kvaalen, Lester, Lund, McFadden, Marks, Jack Moore, James Moore, Murphy, Palmer, Richards, Stoltz, Tropila, Vincent, Wyrick. Total 39.

Noes: Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Brand, Driscoll, Ellis, Federico, Finley, Fishbaugh, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Helmbrecht, Herlevi, Huennekens, Kanduch, Kelly, Kendall, Lockrem, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, Menahan, Mercer, Mular, Quilici, Robbins, Scully, Seifert, Sloan, Smith, South, Staigmillier, Teague, Thomas, Travis, Underdal, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 50.

Paired: Bradley, Aye; Hageman, No.

Excused: Conroy, Dassinger, Fleming, O'Connell, Sivertsen. Total 5.

Absent or not voting: Jacobsen, Kummerfeldt, Lien, Rasmussen, Schye, Shelden. Total 6.

Senate Bill No. 316 was concurred in by the following vote:

Ayes: Aageson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Day, Driscoll, Dussault, Ellis, Federico, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Richards, Robbins, Schye, Scully, Shelden, South, Staigmillier, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 67.

Noes: C. R. Anderson, Asher, Babcock, Barrett, Ellerd, Ellison, Fabrega, Fagg, Finley, Gould, Hager, Hubing, Kropp, Kvaalen, Lund, Marks, Mercer, Jack Moore, Rasmussen, Seifert, Sloan, Smith, Teague, Underdal, Wood, Wyrick. Total 26.

Excused: Conroy, Dassinger, Fleming, Hageman, O'Connell, Sivertsen. Total 6.

Absent or not voting: Jacobsen. Total 1.

Senate Bill No. 395 was concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Casey, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 73.

Noes: Asher, Babcock, Barrett, Bertelsen, Brand, Ellerd, Ellison, Fabrega, Guthrie, Gwynn, Hager, Kropp, Manuel, Jack Moore, Mular, Seifert, Smith, Underdal, Wood, Wyrick. Total 20.

Excused: Conroy, Dassinger, Fleming, Hageman, O'Connell, Sivertsen. Total 6.

Absent or not voting: Jacobsen. Total 1.

Senate Amendments to House Bill No. 77 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Conroy, Dassinger, Fleming, Hageman, O'Connell, Sivertsen. Total 6.

Absent or not voting: Bengtson, Ellerd, Ellison, Gould, Jacobsen, Lory, Travis. Total 7.

Senate Amendments to House Bill No. 666 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kropp,

Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lund, Lynch, McFadden, Magone, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, Smith, South, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 68.

Noes: J. Anderson, Asher, Ellison, Fabrega, Finley, Gwynn, Hager, Halvorson, Holmes, Johnston, Kelly, Lockrem, Lory, Mercer, Jack Moore, Schye, Seifert, Staigmilller, Teague, Underdal, Wood, Wyrick. Total 22.

Excused: Conroy, Dassinger, Fleming, Hageman, O'Connell, Sivertsen. Total 6.

Absent or not voting: Ellerd, Jacobsen, Manuel, Marks. Total 4.

REPORTS OF STANDING COMMITTEES

March 31, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration the motion by Representative Hageman for a definition on the use of pair votes, respectfully report as follows: That pairs may be used at the discretion of the floor leadership unless specifically restricted by the person asking for the pair.

DRISCOLL, Chairman

Report adopted.

March 31, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Bill No. 206, respectfully report as follows: That the Rules Committee finds that this legislature does have the power to enact sovereign immunity by two-thirds vote if such acts are effective July 1, 1975.

DRISCOLL, Chairman

Report adopted.

March 28, 1975

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 30, respectfully report as follows: That Senate Joint Resolution No. 30 be concurred in.

BRAND, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 273 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Guthrie, Gwynn, Halvorson, Helmbrecht, Herlevi, Hubing, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kvaalen, Lester, Lien, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Murphy, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Smith, Staigmilller, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 61.

Noes: W. Baeth, Bradley, Brand, Driscoll, Dussault, Federico, Harper, Holmes, Huennekens, Johnson, Lynch, Meloy, Richards, Shelden, Teague. Total 15.

Excused: Conroy, Dassinger, Fleming, Hageman, O'Connell, Sivertsen. Total 6.

Absent or not voting: Aageson, Asher, Gould, Gunderson, Hager, Jacobsen, Kimble, Kummerfeldt, Lockrem, Lund, James Moore, Mular, Palmer, Sloan, South, Thomas, Travis, Wyrick. Total 18.

March 31, 1975

I have examined House Bill No. 182 introduced by me and find the same to be correct.

TEAGUE

March 31, 1975

I have examined House Bill No. 404 introduced by me and find the same to be correct.

BERTELSEN

March 31, 1975

I have examined House Bill No. 624 introduced by me and find the same to be correct.

FINLEY

March 31, 1975

I have examined House Bill No. 234 introduced by me and find the same to be correct.

MULAR

March 31, 1975

I have examined House Bill No. 260 introduced by me and find the same to be correct.

KELLY

March 31, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 182, 260, 404, 624, 234.

QUILICI, Chairman

March 31, 1975

The following bills will be signed on adjournment on March 31, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 182, 234, 260, 404, 624.

Edwin A. Smith, Chief Clerk
House of Representatives

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Casey in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 31, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the following Governor's Amendments to House Bill No. 338 be concurred in.

1. Amend page 1, section 1, line 19.

Following: "brands-enforcement"

Strike: "division"

Insert: "functions"

2. Amend page 1, section 1, line 24.

Following: "health"

Strike: "division"

Insert: "functions"

3. Amend page 2, section 2, line 25.

Following: "brands-enforcement"

Strike: "division"

Insert: "functions"

4. Amend page 3, section 2, line 8.

Following: "used"

Strike: "by"

Insert: "for"

5. Amend page 3, section 2, line 9.

Following: "health"

Strike: "division"

Insert: "functions" (74-0)

That House Resolution No. 5 be passed for the day.

That Senate Bill No. 378 be concurred in. (84-2)

That Senate Amendments to House Bill No. 29 be concurred in. (80-0)

That Senate Amendments to House Bill No. 83 be concurred in. (74-4)

That Senate Amendments to House Bill No. 103 be not concurred in. (70-8)

That Senate Amendments to House Bill No. 161 be not concurred in. (66-17)

That Senate Amendments to House Bill No. 176 be concurred in. (83-0)

That Senate Amendments to House Bill No. 177 be concurred in. (86-0)

That Senate Amendments to House Bill No. 179 be concurred in. (73-9)

That Senate Amendments to House Bill No. 217 be concurred in. (83-0)

That Senate Amendments to House Bill No. 228 be concurred in. (81-0)

That Senate Amendments to House Bill No. 245 be concurred in. (84-0)

That Senate Amendments to House Bill No. 274 be concurred in. (74-8)

That Senate Amendments to House Bill No. 282 be concurred in. (59-24)

That Senate Amendments to House Bill No. 389 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 393 be not concurred in. (70-8)

That Senate Amendments to House Bill No. 395 be not concurred in. (60-23)

That Senate Amendments to House Bill No. 412 be not concurred in. (69-13)

That Senate Amendments to House Bill No. 420 be concurred in. (83-1)

Ellerd excused at this time.

That Senate Amendments to House Bill No. 424 be concurred in. (42-36)

That Senate Amendments to House Bill No. 443 be not concurred in. (63-17)

That Senate Amendments to House Bill No. 453 be not concurred in. (53-25)

That Senate Amendments to House Bill No. 469 be concurred in. (74-0)

That Senate Amendments to House Bill No. 533 be passed for the day.

That Senate Amendments to House Bill No. 555 be concurred in. (65-10)

That Senate Amendments to House Bill No. 561 be concurred in. (76-1)

That Senate Amendments to House Bill No. 567 be not concurred in. (67-3)

That Senate Amendments to House Bill No. 583 be concurred in. (72-1)

Lund excused at this time.

That Senate Amendments to House Bill No. 586 be not concurred in. (50-28)

Aageson excused at this time.

That Senate Amendments to House Bill No. 615 be concurred in. (52-2)

That Senate Amendments to House Bill No. 643 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 647 be concurred in. (61-2)

That Senate Amendments to House Bill No. 492 be concurred in. (66-2)

That Senate Amendments to House Joint Resolution No. 28 be concurred in. (72-0)

That the Conference Committee report on Senate Bill No. 57 be adopted. (80-0)

That the Conference Committee report on House Bill No. 70 be adopted. (77-0)

That Senate Amendments to House Bill No. 152 be concurred in. (57-22)

That Senate Amendments to House Bill No. 267 be concurred in. (74-3)

That Senate Amendments to House Bill No. 320 be passed for the day.

That Senate Amendments to House Bill No. 349 be passed for the day.

That Senate Amendments to House Bill No. 427 be not concurred in. (68-10)

That Senate Amendments to House Bill No. 434 be concurred in. (69-0)

That Senate Amendments to House Bill No. 435 be concurred in. (79-1)

That Senate Amendments to House Bill No. 472 be placed below Senate Amendments to House Bill No. 519 on the board.

That Senate Amendments to House Bill No. 480 be passed until the Seventy-second Legislative Day.

That Senate Amendments to House Bill No. 516 be passed for the day.

That Senate Amendments to House Bill No. 519 be concurred in. (76-1)

That Senate Amendments to House Bill No. 472 be concurred in. (83-0)

That Senate Amendments to House Bill No. 545 be passed for the day.

That Senate Amendments to House Bill No. 569 be concurred in. (82-0)

That Senate Amendments to House Bill No. 607 be concurred in. (81-2)

That Senate Amendments to House Bill No. 650 be concurred in. (81-2)

That Senate Amendments to House Bill No. 656 be concurred in. (78-4)

That Senate Amendments to House Joint Resolution No. 65 be concurred in. (78-3)

That Senate Amendments to House Bill No. 389 be passed for the day.

That Senate Amendments to House Bill No. 643 be not concurred in. (83-0)

That the Committee rise and report.

CASEY, Chairman

Report adopted.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on the House Amendments to Senate Bill No. 329: Bradley, Chairman, Mercer, and Hageman.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on the House Amendments to Senate Bill No. 354: Brand, Chairman, Helmbrecht, and Hubing.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on the House Amendments to Senate Bill No. 367: Bradley, Chairman, Mercer and Hageman.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on the House Amendments to Senate Bill No. 379: South, Chairman, Gunderson, and Bertelsen.

MESSAGES FROM THE OTHER HOUSE

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's amendments to Senate Bill No. 340 were this day concurred in and are herewith transmitted to the House for concurrence.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 324, introduced by Williams, Lien, et al

House Bill No. 517, introduced by Wolfe, Holmes

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to the following Senate Bills were this day concurred in by the Senate:

House Amendments to Senate Bill No. 25

House Amendments to Senate Bill No. 61

House Amendments to Senate Bill No. 223

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read three several times, and concurred in as amended, title and history agreed to, and the said resolution is herewith returned to the house for concurrence in Senate Amendments:

House Joint Resolution No. 15, introduced by Bardanouve

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 100, introduced by McKittrick, Lockrem, et al

House Bill No. 108, introduced by Kendall, Gwynn

House Bill No. 340, introduced by Shelden, Bradley, et al

House Bill No. 613, introduced by Palmer, Kemmis

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 295, introduced by Lien, Sivertsen, et al

House Bill No. 506, introduced by Jack Moore, Fabrega, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion duly carried, requests the return of House Bill No. 334 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion duly carried, requests the return of House Bill No. 622 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion duly carried, requests the return of House Bill No. 549 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion duly carried, requests the return of House Bill No. 648 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the House accede to the request of the Senate to return House Bill No. 10 to the Senate this day.

Motion carried.

Driscoll moved that the House accede to the request of the Senate to return House Bill No. 334 to the Senate this day.

Motion carried.

Driscoll moved that the House accede to the request of the Senate to return House Bill No. 549 to the Senate this day.

Motion carried.

Driscoll moved that the House accede to the request of the Senate to return House Bill No. 622 to the Senate this day.

Motion carried.

Driscoll moved that the House accede to the request of the Senate to return House Bill No. 648 to the Senate this day.

Motion carried.

Meloy moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 395.

Motion carried.

Meloy moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 412.

Motion carried.

Jim Moore moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 393.

Motion carried.

Jim Moore moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 567.

Motion carried.

Kimble moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 161.

Motion carried.

Kimble moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 443.

Motion carried.

Kimble moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 427.

Motion carried.

Jacobsen moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 103.

Motion carried.

Bardanouve moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 643.

Motion carried.

Babcock moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 586.

Motion carried.

Stoltz moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 453.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., April 1, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTY-FIRST LEGISLATIVE DAY

Helena, Montana
April 2, 1975

House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fishbaugh, Hageman, Luebeck, and Sivertsen, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventieth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 443: Kimble, Chairman, W. Baeth, and Sivertsen.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 567: Jim Moore, Chairman, Jacobsen, and Smith.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 453: Stoltz, Chairman, Johnson, and J. Anderson.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 586: Huennekens, Chairman, Babcock, and Meloy.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 643: Bardanouve, Chairman, Fishbaugh, and Wood.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 103: Jacobsen, Chairman, Gunderson, and Jack Moore.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 161: Kimble, Chairman, Bradley, and Fagg.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 393: Jim Moore, Chairman, Scully, and Lory.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 395: Meloy, Chairman, Vincent, and Hager.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 412: Meloy, Chairman, Halvorson, and Rasmussen.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 427: Kimble, Chairman, Mular, and Seifert.

REPORTS OF STANDING COMMITTEES

April 2, 1975

The following bills and resolutions will be signed on adjournment on April 2, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 14, 165, 238, 239, 304, 384.

Edwin A. Smith, Chief Clerk
House of Representatives

April 1, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 31, 1975: Senate Bills Nos. 79, 84, 98, 119, 190, 195, 197, 198, 199, 200, 212, 216, 328, 375, Senate Joint Resolutions Nos. 16, 25, House Bills Nos. 182, 234, 260, 404, 624.

Edwin A. Smith, Chief Clerk
House of Representatives

March 29, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be terminated by the House of Representatives for the Forty-fourth session at the close of business March 28, 1975: Danny ObergAssistant Sergeant-at-Arms

At the close of business March 29, 1975, the following also be terminated:

Shellie Rindall	Page
Ann Lebar	Page
Debbie Anderson.....	Page
Jodee Jackson	Page
Patricia Widholm.....	Page
Nancy Espelin.....	Page
Greg Daly.....	Page
Leona Duffy	Page
Kathy Webster.....	Page

LYNCH, Chairman

Report adopted.

April 1, 1975

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 332, respectfully report as follows: That Senate Bill No. 332 be not concurred in.

BRADLEY, Chairman

REPORTS OF SELECT COMMITTEES

March 31, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 342

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 342, met March 31, 1975, and considered:

Senate Committee on State Administration Amendments dated March 18, 1975 (corrected copy dated March 26, 1975), and

Senate Committee of the Whole Amendments dated March 21, 1975, and

recommend as follows:

Having had under consideration Senate Committee on State Administration Amendments, corrected copy dated March 26, 1975,

That the House accede to Amendments Nos. 1, 2 and 3,

Having had under consideration Senate Committee of the Whole Amendments dated March 21, 1975,

That the Senate recede from Amendments Nos. 1 and 2,

And further that the House accede to Amendments Nos. 3 and 4,

And further that the Senate recede from Amendment No. 5,

And further that House Bill No. 342, Third Reading copy, be amended as follows:

5. Amend page 30, section 22, line 14.

Following: "audit."

Insert: "(1)"

6. Amend page 30, section 22, line 16.

Following: "year."

Insert: "(2) The legislative auditor may conduct an audit at the request of the legislative audit committee."

And that House Bill No. 342, as so amended, be concurred in.

FOR THE HOUSE:

GERKE, Chairman
JACK MOORE
SOUTH

FOR THE SENATE:

GREELY, Chairman
FASBENDER
MATHERS

Report adopted.

MESSAGES FROM THE GOVERNOR

April 1, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill No. 623, "An act amending Sections 69-2105 and 69-2123, R.C.M. 1947, to standardize the definitions of mobile homes and recreational vehicles covered by the building and mobile home standards

of the State of Montana and clarifying that homes or vehicles are included under compliance with those standards” without my signature and recommend the following amendments. This amendatory veto is being exercised for two reasons.

To begin with, the provisions of House Bill No. 623 as they apply to used mobile homes will work a hardship on dealers and individuals selling used units. For example, failure to give notice as required by the provisions of House Bill No. 623 may result in actions by purchasers to rescind purchases of used mobile homes and recreational vehicles.

I have also been informed by the Montana Bankers Association that member banks will be advised that the financing of used mobile homes and recreational units should not be undertaken unless the purchase agreement is accompanied by the written notice specified in the proposed amendment to Section 69-2123, R.C.M. 1947.

Second, I have decided to recommend an amendment to House Bill No. 623 because of the impact that this bill will have on the Department of Administration. The Department has just begun the process of inspecting and certifying that new mobile homes and recreational vehicles sold within the state can comply with the state standards. The effective date of these regulations was March 1, 1975. It has taken the Department under current manpower and funding limitations over three years to establish this inspection program. Now, under the provisions of House Bill No. 623, it appears that the Department could be put into the position of having to inspect used mobile homes and recreational vehicles as well as new ones. The Department does not have the manpower to perform this function.

I thank you for your careful consideration of this matter. I hope that you will concur in the amendments that I have proposed.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read three several times, and concurred in as amended, title and history agreed to, and the said joint resolution is herewith returned to the House for concurrence in Senate Amendments:

House Joint Resolution No. 37, introduced by Driscoll, Meloy

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 112, and the President was authorized to appoint a Conference Committee,

and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 112.

The President appointed the following members:

Senator Devine, Chairman
Senator Jergeson
Senator Goodover

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 264, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 264.

The President appointed the following members:

Senator Roberts, Chairman
Senator Healy
Senator Etchart

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 29, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 29.

The President appointed the following members:

Senator Manley, Chairman
Senator Graham
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 627, and the President was authorized to appoint a new Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 627.

The President appointed the following members:

Senator Graham, Chairman
Senator Conover
Senator Aber

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 192, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 192.

The President appointed the following members:

Senator Norman, Chairman
Senator Fasbender
Senator Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 76, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 76.

The President appointed the following members:

Senator Roberts, Chairman
Senator Healy
Senator Etchart

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 235, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 235.

The President appointed the following members:

Senator Regan, Chairman
Senator Greely
Senator Himsel

Respectfully yours,

John N. Hanson
Secretary of the Senate

March 31, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 27, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that Senate Amendments to House Bill No. 516 be placed at the top of this day's Second Reading board.

Motion carried.

Marks moved that consideration of Senate Bill No. 206 be passed for the day.

Motion carried.

Lien moved that Senate Bill No. 27 be placed on Second Reading the Seventy-second Legislative Day.

Motion carried.

Driscoll moved that the Governor's Amendments to Senate Bill No. 340 be placed on Second Reading this day.

Motion carried.

Driscoll moved that the Governor's Amendments to House Bill No. 623 be placed on Second Reading this day.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint joint conference committees of three to meet with like committees from the Senate to confer on House Amendments to Senate Bills Nos. 29, 76, 112, 192, 235 and 264.

Motion carried.

Meloy moved that House Resolution No. 5 be taken from Second Reading and be referred to the Committee on Rules.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

House Bill No. 712, introduced by Bardanouve, Smith: A bill for an act entitled: "An act to appropriate money for capital projects for the bien-nium ending June 30, 1977, and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Wolfe in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 2, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 516 be not concurred in. (68-8)

That House Bill No. 426 be passed to the bottom of the board.

That Senate Bill No. 24 be not concurred in. (49-45)

That Senate Bill No. 220 be amended as follows:

1. Amend in the title, page 1, line 6.

Following: "for"

Strike: "income taxes and for"

2. Amend in the title, page 1, line 10.

Following: "yield"

Strike: "thus increased" (78-0)

Sivertsen and Fishbaugh present at this time.

And as amended, be not concurred in. (57-41)

That the Committee rise and report and beg leave to sit again.

WOLFE, Chairman

Kemmis moved that Senate Bill No. 24 be segregated from the Committee of the Whole Report and as amended be adopted.

Motion failed.

Thereupon, the report was adopted.

MOTIONS

Lockrem moved that the House override the Governor's veto of Senate Bill No. 292.

Motion failed. (44-50)

Halvorson moved that consideration of the Governor's Amendments to House Bill No. 623 be passed for the day.

Motion carried.

Driscoll moved that the House reconsider its action in passing Senate

Bill No. 175 on Third Reading and that it be taken from engrossing and placed on Second Reading.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Hageman present at this time.

COMMUNICATIONS AND PETITIONS

April 2, 1975

Memorandum

To: All House Representatives

From: Pat McKittrick,
Speaker of the House

If you are assigned to be a Chairman for a House Conference Committee on a House Bill, a House Committee Secretary will be required to draft the Conference Committee Report.

If you would please contact Wanda Gough, in the House Steno Pool, she will assign appropriate committee secretaries to take the minutes, and use the correct procedure to type up the report to be signed by your committee members, and then submit it to the Chief Clerk's office.

Please follow this procedure, since correct conference reports are extremely important to each bill.

Thank you.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 29: Gerke, Chairman, Conroy, and Aageson.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 76: Jim Moore, Chairman, W. Baeth, and Kropp.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 192: Yardley, Chairman, Scully, and Fagg.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 112: Scully, Chairman, Lester, and Hager.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 235: Vincent, Chairman, Fagg, and Meloy.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 264: Robbins, Chairman, Kendall, and Marks.

SPECIAL ORDERS OF THE DAY

The Speaker introduced Mr. Jack Doyle, Director of the Western office of the Council of State Governments, who briefly addressed the assembly.

The Speaker then appointed Representatives Bardanouve and Kvaalen to escort Mr. Doyle from the chambers.

REPORTS OF STANDING COMMITTEES

April 2, 1975

I have examined House Bill No. 416 introduced by me and find the same to be correct.

LIEN

April 2, 1975

I have examined House Bill No. 110 introduced by me and find the same to be correct.

BRAND

April 2, 1975

I have examined House Bill No. 447 introduced by me and find the same to be correct.

HUENNEKENS

April 2, 1975

I have examined House Bill No. 669 introduced by me and find the same to be correct.

BARDANOUE

April 2, 1975

I have examined House Bill No. 455 introduced by me and find the same to be correct.

BARDANOUE

April 2, 1975

I have examined House Bill No. 303 introduced by me and find the same to be correct.

WILLIAMS

April 2, 1975

I have examined House Bill No. 86 introduced by me and find the same to be correct.

LESTER

April 2, 1975

I have examined House Bill No. 565 introduced by me and find the same to be correct.

MANUEL

April 2, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 86, 110, 303, 416, 447, 455, 565, 699.

QUILICI, Chairman

April 2, 1975

The following bills and resolutions will be signed on adjournment on April 2, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 86, 110, 303, 416, 447, 455, 565, 699.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 1, 1975

Free Joint Conference Committee Report
On Senate Bill No. 397

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met April 1, 1975, and considered House Committee on Fish and Game Amendments dated March 12, 1975, to Senate Bill No. 397 and recommend as follows:

That the Senate accede to House Committee on Fish and Game Amendment No. 1,

Having further considered Senate Bill No. 397, the Free Joint Conference Committee further recommends:

That Senate Bill No. 397, Third Reading bill, be amended as follows:

1. Amend page 6, section 3, line 6.
Following: line 5
Strike: "especially"

And that Senate Bill No. 397, as so amended, be concurred in.

FOR THE SENATE:

MURPHY, Chairman
MANLEY
TURNAGE

FOR THE HOUSE:

MANUEL, Chairman
CONROY
WYRICK

Report adopted.

MOTIONS

Meloy moved that the rules be temporarily suspended so that all unamended bills and Senate Amendments to House Bills that are concurred in on Second Reading be placed on Third Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Governor's Amendments to House Bill No. 338 were concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Brand. Total 1.

Excused: Luebeck. Total 1.

Absent or not voting: Aageson, Casey, Driscoll, Ellerd, Hager, Holmes, Mular, Palmer. Total 8.

Senate Bill No. 378 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 92.

Noes: Lockrem, Jack Moore, Mr. Speaker. Total 3.

Excused: Luebeck. Total 1.

Absent or not voting: Casey, Ellerd, Holmes, Palmer. Total 4.

Conference Committee Report on the House Amendments to Senate Bill No. 57 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Wood. Total 1.

Excused: Luebeck. Total 1.

Absent or not voting: Casey, Ellerd, Hageman, Holmes, Johnston, Palmer, Thomas, Travis. Total 8.

Conference Committee Report on the Senate Amendments to House Bill No. 70 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy,

O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Casey, Ellerd, Holmes, Palmer, Travis. Total 5.

Senate Amendments to House Bill No. 29 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Driscoll, Ellerd, Ellis, Gould, Holmes. Total 5.

Senate Amendments to House Bill No. 83 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Bradley, Ellison, Mercer, Schye. Total 4.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Fagg, Gerke, Holmes, Sivertsen. Total 5.

Senate Amendments to House Bill No. 152 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Dussault, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly,

Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sivertsen, Smith, South, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 75.

Noes: Bardanouve, Bradley, Day, Driscoll, Ellis, Ellison, Gilligan, Gunderson, Herlevi, Kummerfeldt, McFadden, James Moore, Palmer, Richards, Seifert, Sloan, Staigmiller, Stoltz, Vincent, Yardley. Total 20.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Fagg, Holmes, Lund. Total 4.

Senate Amendments to House Bill No. 176 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Smith, Underdal. Total 2.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes. Total 2.

Senate Amendments to House Bill No. 177 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Smith, Underdal. Total 2.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Ellis, Ellison, Holmes, Sloan, Thomas. Total 6.

Senate Amendments to House Bill No. 179 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 87.

Noes: Babcock, Barrett, Casey, Fabrega, Hubing, Jack Moore, Smith, Underdal, Wyrick. Total 9.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes, Thomas. Total 3.

Senate Amendments to House Bill No. 217 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Ellison, Holmes, Mular. Total 4.

Senate Amendments to House Bill No. 228 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Gerke, Holmes, Underdal. Total 4.

Senate Amendments to House Bill No. 245 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 93.

Noes: Gunderson, Huennekens, Smith, Yardley. Total 4.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes. Total 2.

Senate Amendments to House Bill No. 267 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Gould, Holmes, Travis. Total 4.

Senate Amendments to House Bill No. 274 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Travis,

Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Day, Driscoll, Mercer, Jack Moore. Total 4.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes, Thomas. Total 3.

Senate Amendments to House Bill No. 282 were concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lien, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Casey, Ellis, Ellison, Fabrega, Gould, Guthrie, Gwynn, Hubing, Johnston, Kendall, Kropp, Kvaalen, Lockrem, Lory, Lund, Jack Moore, Robbins, Schye, Sivertsen, Underdal, Wyrick. Total 26.

Excused: Luebeck. Total 1.

Absent or not voting: Bardanouve, Ellerd, Hager, Holmes, Manuel. Total 5.

Senate Amendments to House Bill No. 420 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Barrett, Bertelsen, Casey, Smith. Total 4.

Excused: Luebeck. Total 1.

Absent or not voting: Bengtson, Ellerd, Holmes, Menahan. Total 4.

Senate Amendments to House Bill No. 424 were concurred in by the following vote:

Ayes: Babcock, W. Baeth, Barrett, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Hager, Harper, Helmbrecht, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Lester, Lockrem, Lory, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Rasmussen, Schye, Scully, Shelden, Sloan, South, Thomas, Tropila, Vincent, Wolfe, Yardley. Total 57.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, Bardanouve, Bengtson, Brand, Casey, Day, Ellison, Finley, Guthrie, Gwynn, Halvorson, Herlevi, Kemmis, Kummerfeldt, Kvaalen, Lien, Lynch, Menahan, Murphy, Quilici, Richards, Robbins, Seifert, Sivertsen, Smith, Staigmiller, Stoltz, Teague, Travis, Underdal, Williams, Wood, Wyrick, Mr. Speaker. Total 38.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Fishbaugh, Holmes, Lund. Total 4.

Senate Amendments to House Bill No. 434 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Fishbaugh, Jack Moore. Total 2.

Excused: Luebeck. Total 1.

Absent or not voting: Barrett, Ellerd, Holmes, Jacobsen, Lynch, Quilici, Staigmiller. Total 7.

Senate Amendments to House Bill No. 435 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Jack Moore, Schye. Total 2.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes, Lynch. Total 3.

Senate Amendments to House Bill No. 469 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega,

Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes, Jacobsen, Sloan. Total 4.

Senate Amendments to House Bill No. 472 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmillier, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Bardanouve, Bradley, Helmbrecht, Meloy, Mercer, Richards, South, Stoltz, Vincent. Total 9.

Excused: Luebeck. Total 1.

Absent or not voting: Driscoll, Ellerd, Holmes, Quilici, Sloan. Total 5.

Senate Amendments to House Bill No. 519 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Schye. Total 1.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes, Quilici. Total 3.

Senate Amendments to House Bill No. 555 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Bradley, Hager, Lynch, Mercer, Smith, Staigmilller, Tropila, Vincent. Total 8.

Excused: Luebeck. Total 1.

Absent or not voting: Driscoll, Ellerd, Holmes. Total 3.

Senate Amendments to House Bill No. 561 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: McFadden. Total 1.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Ellis, Holmes, Jacobsen, Manuel. Total 5.

Senate Amendments to House Bill No. 569 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Huennekens, Meloy, Robbins, Schye. Total 4.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes, Thomas. Total 3.

Senate Amendments to House Bill No. 583 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 83.

Noes: W. Baeth, Brand, Dassinger, Gilligan, Harper, Johnson, Kelly, Menahan, O'Connell, Smith, Teague, Yardley. Total 12.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes, Mular, Thomas. Total 4.

Senate Amendments to House Bill No. 607 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: J. Anderson, Bertelsen, Brand, Guthrie, Hager, Huennekens, Lund. Total 7.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes, Kelly, Thomas. Total 4.

Senate Amendments to House Bill No. 615 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Smith, South,

Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Bardanouve, Day, Guthrie, Gwynn, Kvaalen, Jack Moore, Sivertsen, Sloan. Total 8.

Excused: Luebeck. Total 1.

Absent or not voting: Ellerd, Holmes, Schye. Total 3.

Senate Amendments to House Bill No. 647 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Fabrega, Guthrie, Hubing, Jack Moore, Mular, Schye, Smith, Underdal. Total 8.

Excused: Luebeck. Total 1.

Absent or not voting: Driscoll, Ellerd, Holmes. Total 3.

Senate Amendments to House Bill No. 650 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Guthrie, Hubing, Jack Moore, Smith, South, Wood. Total 6.

Excused: Luebeck. Total 1.

Absent or not voting: Bardanouve, Driscoll, Ellerd, Holmes, Lund. Total 5.

Senate Amendments to House Bill No. 656 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kendall,

Kimble, Kummerfeldt, Lester, Lien, Lockrem, Lory, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 75.

Noes: J. Anderson, Babcock, Bengtson, Ellis, Finley, Gould, Guthrie, Herlevi, Hubing, Johnston, Kanduch, Kvaalen, McFadden, Mercer, Jack Moore, Schye, Smith, Underdal. Total 18.

Excused: Luebeck. Total 1.

Absent or not voting: Day, Ellerd, Holmes, Kropp, Quilici, Thomas. Total 6.

Senate Amendments to House Joint Resolution No. 28 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Holmes. Total 1.

Senate Amendments to House Joint Resolution No. 65 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Fishbaugh, Gilligan, Gunderson, Wood. Total 4.

Excused: Luebeck. Total 1.

Absent or not voting: Bardanouve, Herlevi, Holmes. Total 3.

Senate Amendments to House Bill No. 492 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick. Total 90.

Noes: Gwynn, Mercer, Jack Moore, Mr. Speaker. Total 4.

Excused: Luebeck. Total 1.

Absent or not voting: Ellison, Herlevi, Holmes, Wood, Yardley. Total 5.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Wolfe in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 2, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 291 be concurred in. (58-37)

That Senate Joint Resolution No. 30 be concurred in. (80-0)

That Senate Amendments to House Bill No. 100 be not concurred in. (76-0)

That Senate Amendments to House Bill No. 108 be concurred in. (75-1)

That Senate Amendments to House Bill No. 320 be concurred in. (78-0)

That Senate Amendments to House Bill No. 340 be concurred in. (68-6)

That Senate Amendments to House Bill No. 389 be concurred in. (74-1)

That Senate Amendments to House Bill No. 533 be concurred in. (74-0)

That Senate Amendments to House Bill No. 613 be not concurred in. (56-18)

That Senate Amendments to House Bill No. 349 be not concurred in. (75-2)

That Senate Amendments to House Bill No. 480 be concurred in. (78-3)

That Senate Amendments to House Bill No. 545 be concurred in. (75-1)

That Senate Amendments to House Joint Resolution No. 15 be passed for the day.

That Senate Amendments to House Joint Resolution No. 37 be passed for the day.

That the Committee rise and report.

WOLFE, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

April 1, 1975

Joint Conference Committee Report On Senate Amendments to House Bill No. 446

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 446, met April 1, 1975, and considered:

Senate Committee on Public Health, Welfare and Safety Amendments dated March 13, 1975, and

Senate Committee of the Whole Amendments dated March 17, 1975, and

recommend as follows:

Having had under consideration Senate Committee on Public Health, Welfare and Safety Amendments, dated March 13, 1975,

That the Senate recede from Amendment No. 1,

And further that House Bill No. 446, Third Reading bill, be amended as follows:

1. Amend page 1, section 1, line 13.

Following: "either"

Insert: ": (1)"

And further that the House accede to Amendments Nos. 2 through 4, 6 and 7,

And further that the Senate recede from Amendment No. 5,

And further that House Bill No. 446, Third Reading bill, be amended as follows:

5. Amend page 1, section 1, line 21.

Following: "degree"

Insert: "in hospital administration,"

Having had under consideration Senate Committee of the Whole Amendments dated March 17, 1975,

That the Senate recede from Amendment No. 1,

And further that House Bill No. 446, Third Reading, be amended as follows:

1. Amend page 1, section 1, line 15.

Following: "psychiatry"

Strike: " ,"

Insert: "and a minimum of one (1) year full-time
experience in hospital administration;"

And that House Bill No. 446, as so amended, be concurred in.

FOR THE SENATE:

LYNCH, Chairman
NORMAN
GOODOVER

FOR THE HOUSE:

MENAHAN, Chairman
DUSSAULT
BABCOCK

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to the following Senate Bills were this day concurred in by the Senate:

House Amendments to Senate Bill No. 5

House Amendments to Senate Bill No. 91

House Amendments to Senate Bill No. 93

House Amendments to Senate Bill No. 143

House Amendments to Senate Bill No. 203

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 695, introduced by McKittrick

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 302, introduced by Williams, Fagg, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 63, introduced by Lynch, Quilici, et al

House Bill No. 460, introduced by Jim Moore

House Bill No. 648, introduced by Lynch

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Lockrem moved that the rules be temporarily suspended to allow the introduction of a resolution urging the Department of Highways to offer highway projects for construction.

Motion carried unanimously.

REPORTS OF SELECT COMMITTEES

April 2, 1975

Joint Conference Committee Report On Senate Amendments to House Bill No. 367

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 367, met April 2, 1975, and considered:

Senate Committee on Judiciary Amendments dated March 20, 1975,

Senate Committee of the Whole Amendments dated March 24, 1975,
and

recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 20, 1975,

That the House accede to Amendments Nos. 1 through 4,

Having had under consideration Senate Committee of the Whole Amendments dated March 24, 1975,

That the House accede to Amendment No. 1,

Having further considered House Bill No. 367, the Joint Conference Committee further recommends:

That House Bill No. 367, reference bill, be amended as follows:

1. Amend page 1, section 1, line 23.

Following: "waste"

Strike: "or"

Insert: ", "

2. Amend page 1, section 1, line 24.

Following: "trespass"

Insert: ", or injury"

And that House Bill No. 367, as so amended, be concurred in.

FOR THE SENATE:

TOWE, Chairman
WARDEN
KOLSTAD

FOR THE HOUSE:

JACOBSEN, Chairman
LIEN
LUND

Report adopted.

MOTIONS

Driscoll moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 100.

Motion carried.

Palmer moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 613.

Motion carried.

Day moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 349.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 291 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Casey, Conroy, Day, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Johnson, Johnston, Kanduch, Kelly, Kimble, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lory, Lund, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, South, Stoltz, Teague, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 68.

Noes: Bardanouve, Brand, Driscoll, Dussault, Ellerd, Ellis, Ellison, Gilligan, Gould, Hager, Jacobsen, Kemmis, Kendall, Lester, Lien, Lynch, Menahan, Richards, Sloan, Smith, Travis, Tropila. Total 22.

Excused: Luebeck. Total 1.

Absent or not voting: Bertelsen, Bradley, Dassinger, Holmes, Huennekens, Staigmiller, Thomas, Underdal, Yardley. Total 9.

Senate Joint Resolution No. 30 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester,

Lien, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Halvorson, Holmes, Kimble, Lockrem, Underdal. Total 5.

Senate Amendments to House Bill No. 108 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Teague, Tropila, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Menahan, Murphy, Sloan. Total 3.

Excused: Luebeck. Total 1.

Absent or not voting: Holmes, Palmer, Stoltz, Thomas, Travis, Underdal, Wolfe. Total 7.

Senate Amendments to House Bill No. 320 were concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: C. R. Anderson, Holmes, Lynch, Underdal, Wolfe, Wood. Total 6.

Senate Amendments to House Bill No. 340 were concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 76.

Noes: Aageson, Casey, Hager, Mercer, Seifert. Total 5.

Excused: Luebeck. Total 1.

Absent or not voting: Asher, Bardanouve, Driscoll, Fleming, Gunderson, Halvorson, Holmes, Jacobsen, Kelly, Kendall, Marks, James Moore, Schye, Smith, South, Underdal, Vincent, Wyrick. Total 18.

Senate Amendments to House Bill No. 389 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Seifert. Total 1.

Excused: Luebeck. Total 1.

Absent or not voting: Holmes, Scully, Underdal. Total 3.

Senate Amendments to House Bill No. 533 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Guthrie, Holmes, Schye, Scully, Underdal. Total 5.

Senate Amendments to House Bill No. 480 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 90.

Noes: Mercer, Richards, Sloan, Underdal. Total 4.

Excused: Luebeck. Total 1.

Absent or not voting: Asher, Holmes, Meloy, Scully, Yardley. Total 5.

Senate Amendments to House Bill No. 545 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Luebeck. Total 1.

Absent or not voting: Babcock, Barrett, Holmes, Meloy, Scully. Total 5.

Driscoll moved that the House adjourn until 1:30 p.m., April 4, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 3, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg and Lockrem, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventy-first Legislative Day, find the same to be correct.

QUILICI, Chairman

SPECIAL ORDERS OF THE DAY

The Speaker introduced Mr. Dan Hansen, Director of the Yellowstone Boys Ranch, who introduced the Yellowstone Boys Ranch Chapel Choir, and their Director, Wendell Wilson. The Choir sang several songs for the assembly.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 100: McKittrick, Chairman, Kimble and Ellis.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 613: Palmer, Chairman, Dussault, and Gould.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 349: Day, Chairman, Kemmis, and J. Anderson.

April 3, 1975

Mrs. Mable Watt
1806 Golden
Helena, Montana
59601

Dear Mrs. Watt:

On behalf of the members of the House of Representatives I want to thank you very much for establishing the blood pressure testing program during this legislative assembly.

It is people like you that show acts of thoughtfulness and kindness that have made this session a success. We appreciate your concern and the time you devoted to our best interests.

Thank you again.

Sincerely,

Pat McKittrick
Speaker of the House

REPORTS OF STANDING COMMITTEES

April 3, 1975

The following bills and resolutions will be signed on adjournment on April 3, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 4, 15, 26, 38, 48, 83, 103, 120, 122, 127, 148, 154, 196, 224, 243, 251, 306, 312, 338, 350, 360, 385, Senate Joint Resolutions Nos. 17, 24.

Edwin A. Smith, Chief Clerk
House of Representatives

April 3, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 2, 1975: Senate Bills Nos. 14, 165, 238, 239, 304, 384, House Bills Nos. 86, 110, 303, 416, 447, 455, 565, 699.

Edwin A. Smith, Chief Clerk
House of Representatives

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 332 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, Magone, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 79.

Noes: None.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: R. Baeth, Brand, Fleming, Hager, Hubing, Jacobsen, Kummerfeldt, Lester, McFadden, Manuel, Marks, Meloy, O'Connell, Palmer, Scully, Thomas, Travis, Wood, Yardley. Total 19.

REPORTS OF SELECT COMMITTEES

April 2, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 116

Mr. President and Speaker of the House:

We, your Joint Conference Committee met April 2, 1975, and considered:

House Committee on Local Government Amendments dated February 21, 1975,

House Committee of the Whole Amendments dated March 7, 1975, and recommend as follows:

Having had under consideration House Committee on Local Government Amendments dated February 21, 1975,

That the House recede from Amendment No. 1,

And further that Senate Bill No. 116, Third Reading bill, be amended as follows:

1. Amend page 6, section 1, lines 10 and 11.

Following: "in"

Strike: "the county, city, or town as set forth in section 16-2618(1) that has filed a request"

Insert: "each county which has at least three financial institutions located within the county and they have requested"

Having had under consideration House Committee of the Whole Amendments dated March 7, 1975,

That the House recede from Amendment No. 1,

Having further considered Senate Bill No. 116, the Joint Conference Committee further recommends:

That Senate Bill No. 116, Third Reading bill, be amended as follows:

1. Amend page 6, section 1, line 12.

Following: "that"

Strike: "it"

Insert: "they"

2. Amend page 6, section 1, line 14.

Following: "government."

Insert: "In counties having less than three financial institutions the local governing body may solicit bids from financial institutions in neighboring counties."

And that Senate Bill No. 116, as so amended, be concurred in.

FOR THE SENATE:

GREELY, Chairman
WARDEN
MATHERS

FOR THE HOUSE:

GERKE, Chairman
O'CONNELL
ASHER

Report adopted.

MESSAGES FROM THE GOVERNOR

March 31, 1975

The Honorable Pat McKittrick
Speaker of the House
of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 107, 203, 247, 313, 316, 337, 378, 454, 485, 513, 522, 590 and 659.

Sincerely,

THOMAS L. JUDGE
Governor

March 31, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 3, 39, 51, 56, 77, 88, 121, 138, 158, 207, 229, 231, 234, 248, 296, 313, 321, 323, 325, 343, 344, 355, 359, 363 and 398.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 103.

The President appointed the following members:

Senator Boylan, Chairman
Senator Jergeson
Senator Kolstad

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 161.

The President appointed the following members:

Senator R. Smith, Chairman
Senator Seibel
Senator McCallum

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 393.

The President appointed the following members:

Senator Roberts, Chairman
Senator Warden
Senator Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 395.

The President appointed the following members:

Senator Roberts, Chairman
Senator Warden
Senator Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 412.

The President appointed the following members:

Senator Towe, Chairman
Senator Warden
Senator Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 427.

The President appointed the following members:

Senator Lee, Chairman
Senator Mehrens
Senator E. Smith

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 443.

The President appointed the following members:

Senator Lee, Chairman
Senator Mehrens
Senator E. Smith

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 453.

The President appointed the following members:

Senator Lynch, Chairman
Senator Colberg
Senator E. Smith

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 567.

The President appointed the following members:

Senator Cetrone, Chairman
Senator Roberts
Senator Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 586.

The President appointed the following members:

Senator Greely, Chairman
Senator Seibel
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 643.

The President appointed the following members:

Senator Fasbender, Chairman
Senator Flynn
Senator Himsl

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 2, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 310, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 310.

The President appointed the following members:

Senator Murphy, Chairman
Senator R. Smith
Senator Galt

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 516.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on House Amendments to Senate Bill No. 310.

Motion carried.

Scully moved that the House reconsider its action of the previous legislative day in passing the Senate Amendments to House Bill No. 177 on Third Reading and that the bill be taken from enrolling and the Senate Amendments to the bill be rereferred to Second Reading.

Motion carried.

Gerke moved that the House request the Senate to return Senate Bill No. 24 to the House and that the House reconsider its action of the previous legislative day in failing to pass Senate Bill No. 24 on Second Reading.

Motion carried.

Menahan moved that House Bill No. 218 be placed below Senate Bill No. 340 on Second Reading.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Kendall in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 3, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Governor's Amendments to House Bill No. 623 be concurred in as follows:

1. Amend page 5, section 2, line 4.

Following: "any"

Insert: "new"

2. Amend page 5, section 2, lines 4 and 5.

Following: "vehicle"

Strike: ", whether new or used"

3. Amend page 5, section 2, lines 8 through 11.

Following: "defined"

Strike: ", with the exception of used mobile homes or recreational vehicles which have a written notice informing the purchaser, and signed by the purchaser, of possible noncompliance with such standards" (58-26)

That Senate Bill No. 27 be not concurred in. (53-41)

That Senate Bill No. 175 be amended as follows:

1. Amend the Natural Resources Committee Amendments dated March 20, 1975, Amendments Nos. 1 through 9.

Strike: these amendments in their entirety. (65-8)

And as amended, be concurred in. (62-22)

That Senate Bill No. 206 be concurred in. (38-32)

That the following Governor's Amendments to Senate Bill No. 340 be concurred in:

1. Amend page 2, Section 1, line 8.

Following: "(8)"

Strike: "the employees and staff of the state school for the deaf and blind whose compensation and qualifications are determined by the board of public education under section 80-104"

Insert: "academic and professional administrative personnel who have entered into individual contracts with the state school for the deaf and blind under the authority of the state board of public education" (75-0)

That the Committee rise and report and beg leave to sit again.

KENDALL, Chairman

Report adopted.

House recessed.

House resumed. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 310: Shelden, Chairman, Vincent and J. Anderson.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 516: Gunderson, Chairman, Yardley and Kvaalen.

REPORTS OF STANDING COMMITTEES

April 3, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be terminated by the House of Representatives for the Forty-fourth Session at the close of business April 2, 1975:

Denita Jo Lyle.....Page

At the beginning of business March 31, 1975, the following also be employed:

Susan Cerovski.....Page

Beth Watkins.....Page

John Eisenhauser.....Page

Steve Wetstein.....Page

Michael Lahr.....Page

Kristen Walters.....Page

Kathy Walters.....Page

John Henstad.....Page

At the beginning of business April 2, 1975, the following also be employed:

Shauna Jo Kottas.....Page

Lana Elbert.....Page

At the close of business March 14, 1975, the following also be terminated:

Mathew Buckley.....Doorman

At the close of business March 28, 1975, the following also be terminated:

Pat Shea.....Doorman

Larry Thomas.....Doorman

At the close of business March 31, 1975, the following also be terminated:

Robert Applegate.....Watchman

LYNCH, Chairman

Report adopted.

April 3, 1975

I have examined House Bill No. 396 introduced by me and find the same to be correct.

MELOY

April 3, 1975

I have examined House Bill No. 531 introduced by me and find the same to be correct.

MELOY

April 3, 1975

I have examined House Joint Resolution No. 45 introduced by me and find the same to be correct.

BARDANOUE

April 3, 1975

I have examined House Bill No. 471 introduced by me and find the same to be correct.

KIMBLE

April 3, 1975

I have examined House Joint Resolution No. 48 introduced by me and find the same to be correct.

GUNDERSON

April 3, 1975

I have examined House Bill No. 95 introduced by me and find the same to be correct.

MAGONE

April 3, 1975

I have examined House Bill No. 305 introduced by me and find the same to be correct.

FINLEY

April 3, 1975

I have examined House Bill No. 307 introduced by me and find the same to be correct.

DASSINGER

April 3, 1975

I have examined House Bill No. 419 introduced by me and find the same to be correct.

RICHARDS

April 3, 1975

I have examined House Bill No. 463 introduced by me and find the same to be correct.

JACOBSEN

April 3, 1975

I have examined House Bill No. 518 introduced by me and find the same to be correct.

TROPILA

April 3, 1975

I have examined House Bill No. 562 introduced by me and find the same to be correct.

MURPHY

April 3, 1975

I have examined House Bill No. 563 introduced by me and find the same to be correct.

MURPHY

April 3, 1975

I have examined House Bill No. 579 introduced by me and find the same to be correct.

LUEBECK

April 3, 1975

I have examined House Bill No. 144 introduced by me and find the same to be correct.

JOHNSON

April 3, 1975

I have examined House Bill No. 266 introduced by me and find the same to be correct.

FINLEY

April 3, 1975

I have examined House Bill No. 309 introduced by me and find the same to be correct.

SCULLY

April 3, 1975

I have examined House Bill No. 356 introduced by me and find the same to be correct.

DUSSAULT

April 3, 1975

I have examined House Bill No. 368 introduced by me and find the same to be correct.

MELOY

April 3, 1975

I have examined House Bill No. 571 introduced by me and find the same to be correct.

HAGER

April 3, 1975

I have examined House Bill No. 637 introduced by me and find the same to be correct.

HOLMES

April 3, 1975

I have examined House Bill No. 676 introduced by me and find the same to be correct.

JAMES MOORE

April 3, 1975

I have examined House Joint Resolution No. 41 introduced by me and find the same to be correct.

JAMES MOORE

April 3, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly enrolled: House Bills Nos. 95, 305, 307, 396, 419, 463, 471, 518, 531, 562, 563, 579, House Joint Resolutions Nos. 45, 48.

QUILICI, Chairman

April 3, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Bills Nos. 144, 266, 309, 356, 368, 571, 637, 676, House Joint Resolution No. 41.

QUILICI, Chairman

April 3, 1975

The following bills and resolutions will be signed on adjournment on April 3, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 95, 305, 307, 396, 419, 463, 471, 518, 531, 562, 563, 579, House Joint Resolutions Nos. 45, 48.

Edwin A. Smith, Chief Clerk
House of Representatives

April 3, 1975

The following bills and resolution will be signed on adjournment on April 3, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 144, 266, 309, 356, 368, 571, 637, 676, House Joint Resolution No. 41.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 2, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 400

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 400, met April 2, 1975, and considered Senate Committee on Business and Industry Amendments dated March 17, 1975 (corrected copy dated March 18, 1975), and recommend as follows:

That the House accede to Amendments Nos. 1 through 7,

And that House Bill No. 400, as so amended, be concurred in.

FOR THE HOUSE:

HARPER, Chairman
VINCENT
FABREGA

FOR THE SENATE:

REGAN, Chairman
R. SMITH
DUNKLE

Report adopted.

April 2, 1975

Joint Conference Committee Report No. 2
On Senate Amendments to House Bill No. 627

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 627, met April 2, 1975, and considered Senate Committee on Agriculture, Livestock and Irrigation Amendment dated March 5, 1975, and recommend as follows:

That the Senate recede from Amendment No. 1,

And that House Bill No. 627 be concurred in.

FOR THE HOUSE:

BENGTSON, Chairman
SMITH

FOR THE SENATE:

GRAHAM, Chairman
CONOVER
ABER

Report adopted.

April 2, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 184

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 184, met April 1 and April 2, 1975, and considered Senate Committee on State Administration Amendment dated March 17, 1975, and recommend as follows:

That the House accede to Amendment No. 1,

And that House Bill No. 184, as so amended, be concurred in.

FOR THE HOUSE:

LIEN, Chairman
ELLERD

FOR THE SENATE:

JERGESON, Chairman
MURPHY
ROSELL

Report adopted.

April 3, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 112

Mr. President and Speaker of the House:

We, your Joint Conference Committee met April 3, 1975, and considered House Committee of the Whole Amendments dated March 25, 1975, to Senate Bill No. 112 and recommend as follows:

That the Senate accede to Amendments Nos. 1 through 3,

And that Senate Bill No. 112, as so amended, be concurred in.

FOR THE SENATE:

DEVINE, Chairman
JERGESON
GOODOVER

FOR THE HOUSE:

SCULLY, Chairman
LESTER
HAGER

Report adopted.

April 3, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 557

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 557, met April 3, 1975, and considered Senate Committee of the Whole Amendments dated March 11, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1 through 4,

And further that House Bill No. 557, Third Reading bill, be amended as follows:

2. Amend page 2, section 1, subsection (b), lines 13 and 14.

Following: "exceed"

Strike: "two hundred and fifty thousand dollars (\$250,000)"

Insert: "two hundred thousand dollars (\$200,000)"

And that House Bill No. 557, as so amended, be concurred in.

FOR THE HOUSE:

DRISCOLL, Chairman
KEMMIS
SCHYE

FOR THE SENATE:

BLAYLOCK, Chairman
GRAHAM
ABER

Report adopted.

April 2, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 235

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 235, met April 2, 1975, and considered:

House Committee on Business and Industry Amendments dated March 14, 1975,

House Committee of the Whole Amendments dated March 20, 1975, and recommend as follows:

Having had under consideration House Committee on Business and Industry Amendments dated March 14, 1975,

That the House recede from Amendment No. 1,

Having had under consideration House Committee of the Whole Amendments dated March 20, 1975,

That the House recede from Amendments Nos. 1, 2, and 3,

And further that Senate Bill No. 235, Third Reading copy, be amended as follows:

1. Amend page 1, section 1, line 18.

Following: "than"

Strike: "four percent (4%)"

Insert: "five (5) percentage points"

2. Amend page 1, section 1, line 24.

Following: "of"

Strike: "one million dollars (\$1,000,000)"

Insert: "four hundred thousand dollars (\$400,000)"

And that Senate Bill No. 235, as so amended, be concurred in.

FOR THE SENATE:

REGAN, Chairman

GREELY

HIMSL

FOR THE HOUSE:

VINCENT, Chairman

MELOY

Report adopted.

April 3, 1975

Free Joint Conference Committee Report
On House Bill No. 453

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 453, met April 3, 1975, and considered Senate Committee of the Whole Amendments dated March 25, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1, 2, 3, 4, 5 and 6,

And further that the Senate recede from Amendment No. 7

Having further considered House Bill No. 453, the Free Joint Conference Committee further recommends:

That House Bill No. 453, Third Reading bill, be amended as follows:

1. Amend page 3, section 3, line 13.

Following: "the"

Insert: "next"

2. Amend page 3, section 3, line 19.

Following: "the"

Insert: "next"

And that House Bill No. 453, as so amended, be concurred in.

FOR THE SENATE:

LYNCH, Chairman
COLBERG
E. SMITH

Report adopted.

FOR THE HOUSE:

STOLTZ, Chairwoman
JOHNSON
J. ANDERSON

MESSAGES FROM THE OTHER HOUSE

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion this day, duly carried, requests the return of House Bill No. 295 for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 374, introduced by Halvorson, Meloy, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Third Reading, not concurred in as amended, and the said bill is herewith returned to the House:

House Bill No. 262, introduced by Palmer, Federico, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Third Reading, not concurred in as amended, and the said bill is herewith returned to the House:

House Bill No. 165, introduced by Huennekens, Luebeck, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 27, introduced by Lester

House Bill No. 115, introduced by Halvorson, Dassinger, et al

House Bill No. 183, introduced by Jim Moore, McKittrick, et al

House Bill No. 370, introduced by Meloy

House Bill No. 372, introduced by Yardley, Jim Moore, et al

House Bill No. 401, introduced by Hager

House Bill No. 439, introduced by Richards, Babcock, et al

House Bill No. 461, introduced by Kimble

House Bill No. 538, introduced by Mercer, Guthrie, et al

House Bill No. 539, introduced by Kummerfeldt, Gunderson, et al

House Bill No. 581, introduced by Bardanouve, Meloy, et al

House Bill No. 593, introduced by Fabrega, Jack Moore, et al

House Bill No. 597, introduced by Halvorson

House Bill No. 602, introduced by Holmes, Jim Moore, et al

House Bill No. 621, introduced by Meloy

House Bill No. 633, introduced by Jim Moore

House Bill No. 683, introduced by Bardanouve

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 104, introduced by Johnston, Barrett, et al

House Bill No. 332, introduced by Johnson, Lester, et al

House Bill No. 671, introduced by Dussault

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Senate Joint Resolution was this day read three several times, and passed, title and history agreed to, and the said joint resolution is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 31, introduced by R. Smith, Conover, Dunkle, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

House Joint Resolution No. 67, introduced by McKittrick, Lockrem, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Department of Highways to help decrease unemployment by offering a sufficient number of highway projects for bidding and construction in this construction season. Referred to Committee on Labor and Employment Relations.

MOTIONS

Meloy moved that the rules be temporarily suspended and that all unamended bills and all Senate Amendments to House Bills and Conference Committee reports which are concurred in on Second Reading be placed on Third Reading this day.

Motion carried.

Yardley moved that the House request the Senate to return Senate Bill No. 220 to the House and that the House reconsider its action of the previous legislative day in failing to pass Senate Bill No. 220 on Second Reading.

Motion carried.

Kimble moved that House Joint Resolution No. 67 be placed on Second Reading for consideration on the Seventy-third Legislative Day.

Motion carried.

MESSAGES FROM THE OTHER HOUSE

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 349.

The President appointed the following members:

Senator Graham, Chairman
Senator Jergeson
Senator Dunkle

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 100.

The President appointed the following members:

Senator Lee, Chairman
Senator Towe
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 613.

The President appointed the following members:

Senator Towe, Chairman
Senator Seibel
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Kendall in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 3, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Joint Resolution No. 15 be concurred in. (86-0)

That Senate Amendments to House Joint Resolution No. 37 be concurred in. (80-17)

That the Committee rise and report.

KENDALL, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

April 3, 1975

I have examined House Bill No. 678 introduced by me and find the same to be correct.

AAGESON

April 3, 1975

I have examined House Bill No. 418 introduced by me and find the same to be correct.

MULAR

April 3, 1975

I have examined House Bill No. 155 introduced by me and find the same to be correct.

YARDLEY

April 3, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 155, 418, 678.

QUILICI, Chairman

April 3, 1975

The following bills and resolutions will be signed on adjournment on April 3, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 155, 418, 678.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGE FROM THE OTHER HOUSE

April 3, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 24, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Jim Moore moved that the conference committee on Senate Amendments to House Bill No. 567 be dissolved and the Speaker be authorized to appoint a new free conference committee to meet with a like committee from the Senate to confer on House Bill No. 567.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Governor's Amendments to House Bill No. 623 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, Magone, Manuel, Marks, Meloy, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Sivertsen, Sloan, Smith, South, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Asher, W. Baeth, Bradley, Brand, Dussault, Ellison, Finley, Gilligan, Guthrie, Herlevi, Holmes, Huennekens, Johnson, McFadden, Menahan, Jack Moore, Schye, Shelden, Staigmiller, Stoltz, Vincent. Total 21.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Lund. Total 1.

Senate Bill No. 206 was not concurred in by the following vote:

Ayes: Aageson, J. Anderson, Asher, Babcock, Bardanouve, Barrett, Bertelsen, Casey, Dassinger, Day, Ellerd, Ellis, Ellison, Fishbaugh, Gerke, Gould, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Johnston, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, McFadden, Manuel, Marks, O'Connell, Rasmussen, Robbins, Seifert, Sivertsen, Smith, South, Staigmiller, Teague, Thomas, Underdal, Wood, Yardley, Mr. Speaker. Total 44.

Noes: C. R. Anderson, R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Conroy, Driscoll, Dussault, Fabrega, Federico, Finley, Fleming, Gilligan, Gunderson, Hageman, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kimble, Lester, Lory, Luebeck, Lynch, Magone, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Palmer, Quilici, Richards, Schye, Scully, Shelden, Sloan, Stoltz, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick. Total 52.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Hubing, Lund. Total 2.

Governor's Amendments to Senate Bill No. 340 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore,

Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Kvaalen, Smith. Total 2.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Lund. Total 1.

Senate Amendments to House Joint Resolution No. 15 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Bardanouve, Seifert. Total 2.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Lund, Stoltz. Total 2.

Senate Amendments to House Joint Resolution No. 37 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Ellison, Fabrega, Gould, Guthrie, Hager, Kropp, Kvaalen, Lien, Mercer, Jack Moore, Schye, Seifert, Smith, Underdal. Total 14.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Halvorson, Harper, Lund. Total 3.

Driscoll moved that the House adjourn until 1:30 p.m., April 4, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 4, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Harper, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventy-second Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new free joint conference committee to meet with a like committee of the Senate on House Bill No. 567: Jim Moore, Chairman, Jacobsen and Smith.

REPORTS OF STANDING COMMITTEES

April 4, 1975

I have examined House Bill No. 9 introduced by me and find the same to be correct.

STOLTZ

April 4, 1975

I have examined House Bill No. 13 introduced by me and find the same to be correct.

BARDANOUE

April 4, 1975

I have examined House Bill No. 29 introduced by me and find the same to be correct.

GERKE

April 4, 1975

I have examined House Bill No. 45 introduced by me and find the same to be correct.

GUNDERSON

April 4, 1975

I have examined House Bill No. 93 introduced by me and find the same to be correct.

VINCENT

April 4, 1975

I have examined House Bill No. 112 introduced by me and find the same to be correct.

BRAND

April 4, 1975

I have examined House Bill No. 125 introduced by me and find the same to be correct.

YARDLEY

April 4, 1975

I have examined House Bill No. 127 introduced by me and find the same to be correct.

BRAND

April 4, 1975

I have examined House Bill No. 140 introduced by me and find the same to be correct.

LORY

April 4, 1975

I have examined House Bill No. 152 introduced by me and find the same to be correct.

JOHNSTON

April 4, 1975

I have examined House Bill No. 173 introduced by me and find the same to be correct.

FEDERICO

April 4, 1975

I have examined House Bill No. 202 introduced by me and find the same to be correct.

MC KITTRICK

April 4, 1975

I have examined House Bill No. 207 introduced by me and find the same to be correct.

VINCENT

April 4, 1975

I have examined House Bill No. 290 introduced by me and find the same to be correct.

HUENNEKENS

April 4, 1975

I have examined House Bill No. 299 introduced by me and find the same to be correct.

DRISCOLL

April 4, 1975

I have examined House Bill No. 354 introduced by me and find the same to be correct.

DUSSAULT

April 4, 1975

I have examined House Bill No. 445 introduced by me and find the same to be correct.

TRAVIS

April 4, 1975

I have examined House Bill No. 451 introduced by me and find the same to be correct.

JOHNSON

April 4, 1975

I have examined House Bill No. 452 introduced by me and find the same to be correct.

JOHNSON

April 4, 1975

I have examined House Bill No. 507 introduced by me and find the same to be correct.

KENDALL

April 4, 1975

I have examined House Bill No. 656 introduced by me and find the same to be correct.

JOHNSON

April 4, 1975

I have examined House Bill No. 691 introduced by me and find the same to be correct.

JAMES MOORE

April 4, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 9, 13, 29, 45, 93, 112, 125, 127, 140, 152, 173, 202, 207, 290, 299, 354, 445, 451, 452, 507, 656, 691.

QUILICI, Chairman

April 4, 1975

The following bills will be signed on adjournment on April 4, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 92, 140, 180, 210, 269, 318, 364, 371, 374, 387.

Edwin A. Smith, Chief Clerk
House of Representatives

April 4, 1975

The following bills will be signed on adjournment on April 4, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 9, 13, 29, 45, 93, 112, 125, 127, 140, 152, 173, 202, 207, 290, 299, 354, 445, 451, 452, 507, 656, 691.

Edwin A. Smith, Chief Clerk
House of Representatives

April 4, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on April 3, 1975: House Bills Nos. 95, 144, 155, 266, 305, 307, 309, 356, 368, 396, 418, 419, 463, 471, 518, 531, 562, 563, 571, 579, 637, 676, 678, House Joint Resolutions Nos. 41, 45, 48.

Edwin A. Smith, Chief Clerk
House of Representatives

April 4, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on April 3, 1975: Senate Bills Nos. 4, 15, 26, 38, 48, 83, 103, 120, 122, 127, 148, 154, 196, 224, 243, 251, 306, 312, 338, 350, 360, 385, Senate Joint Resolutions Nos. 17, 24.

Edwin A. Smith, Chief Clerk
House of Representatives

April 4, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 348, respectfully report as follows: That Senate Bill No. 348 be not concurred in.

BARDANOUE, Chairman

REPORTS OF SELECT COMMITTEES

April 3, 1975

Joint Conference Committee On House Amendments to Senate Bill No. 29

Mr. President and Speaker of the House:

We, your Joint Conference Committee met April 3, 1975, and considered House Committee on Taxation Amendments to Senate Bill No. 29 dated March 24, 1975, and recommend as follows:

That the Senate accede to Amendment No. 1,

And further that the House recede from Amendment No. 2,

And further that Senate Bill No. 29, Third Reading bill, be amended as follows:

2. Amend page 4, section 1, lines 4 through 7.

Strike: lines 4 through 7 in their entirety.

Insert: "(5) All nonperishable unprocessed agricultural products except livestock, held in possession of the original producer for less than seven (7) months following harvest.

(6) Livestock, defined as cattle, sheep, horses, or mules, which have not attained the age of nine (9) months as of the last day of any month."

And that Senate Bill No. 29, as so amended, be concurred in.

FOR THE SENATE:

MANLEY, Chairman
GRAHAM
DRAKE

FOR THE HOUSE:

GERKE, Chairman
CONROY
AAGESON

Report adopted.

April 3, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 354

Mr. President and Speaker of the House:

We, your Joint Conference Committee met April 3, 1975 and considered House Committee on State Administration Amendments dated March 15, 1975 to Senate Bill No. 354, and recommend as follows:

That the Senate accede to Amendment No. 1,

And further that the House recede from Amendment No. 2,

And further that Senate Bill No. 354, Third Reading bill, be amended as follows:

2. Amend page 2, section 1, line 11.

Following: "given"

Strike: "thirty (30)"

Insert: "ninety (90)"

3. Amend page 2, section 1, line 14.

Following: "the"

Strike: "thirty (30)"

Insert: "ninety (90)"

4. Amend page 2, section 1, line 17.

Following: line 16

Strike: "thirty (30)"

Insert: "ninety (90)"

And that Senate Bill No. 354, as so amended, be concurred in.

FOR THE SENATE:

DEVINE, Chairman

ROBERTS

GALT

FOR THE HOUSE:

BRAND, Chairman

HELMBRECHT

HUBING

Report adopted.

MESSAGES FROM THE GOVERNOR

April 3, 1975

Honorable W. Gordon McOmber

President of the Senate

State Capitol

Honorable Pat McKittrick

Speaker of the House of Representatives

State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor, I return Senate Bill No. 198, "An act to amend Section 40-2726, R.C.M. 1947, to provide the State Auditor authority to deposit fees and licenses in clearing accounts" without my signature and recommend the attached amendments.

I do not question the intent of Senate Bill No. 198, but I do disagree with the form. The reference in the bill to "related clearing accounts" does not specify the fund within the State Treasury structure in which the accounts would be located.

Almost all of the accounts in the fund structure are administratively created within the Statewide Budgeting and Accounting System. This provides the Department of Administration the flexibility to create new accounts as they are needed or to close old accounts no longer needed.

Therefore, I offer the following amendments and ask for concurrence.

Sincerely,

THOMAS L. JUDGE
Governor

1. Amend title, line 7.

Following: "accounts"

Insert: "in the federal and private grant clearance fund"

2. Amend page 4, section 1, lines 13 and 14.

Strike: "related clearing accounts"

Insert: "federal and private grant clearance fund"

April 3, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 182, 216, 234, 260, 353, 358, 362, 404, 624 and 638.

Sincerely,

THOMAS L. JUDGE
Governor

April 3, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 79, 84, 98, 119, 190, 195, 197, 199, 200, 212, 216, 328 and 375.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Driscoll moved that the House accede to the request of the Senate to return House Bill No. 295.

Motion carried.

Driscoll moved that the Governor's Amendments on Senate Bill No. 198 be placed on Second Reading this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended so that Senate Joint Resolution No. 31 be allowed to be accepted by the House.

Motion carried unanimously.

Driscoll moved that the rules be temporarily suspended so that all unamended bills, Senate Amendments to House Bills and Conference Committee reports that are concurred in on Second Reading be placed on Third Reading this day.

Motion carried.

Lockrem moved that consideration of House Joint Resolution No. 67 on Second Reading be passed this legislative day.

Motion carried.

Bardanouve moved that the Joint Conference Committee on House Bill No. 154 be dissolved and that the Speaker be authorized to appoint a new joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 154.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 4, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 27 be not concurred in. (88-0)

That Senate Amendments to House Bill No. 177 be not concurred in. (90-0)

That Senate Amendments to House Bill No. 63 be not concurred in. (88-1)

That Senate Amendments to House Bill No. 115 be not concurred in. (78-8)

That Senate Amendments to House Bill No. 183 be concurred in. (82-1)

That Senate Amendments to House Bill No. 372 be concurred in. (75-3)

That Senate Amendments to House Bill No. 401 be not concurred in. (82-2)

That Senate Amendments to House Bill No. 439 be concurred in. (79-4)

That Senate Amendments to House Bill No. 460 be concurred in. (82-0)

That Senate Amendments to House Bill No. 461 be concurred in. (74-3)

That Senate Amendments to House Bill No. 538 be concurred in. (79-1)

That Senate Amendments to House Bill No. 539 be concurred in. (82-0)

That Senate Amendments to House Bill No. 581 be not concurred in. (69-10)

That Senate Amendments to House Bill No. 593 be concurred in. (75-0)

That Senate Amendments to House Bill No. 597 be concurred in. (77-1)

That Senate Amendments to House Bill No. 602 be not concurred in. (69-9)

That Senate Amendments to House Bill No. 621 be concurred in. (78-3)

That Senate Amendments to House Bill No. 633 be not concurred in. (72-6)

That Senate Amendments to House Bill No. 683 be not concurred in. (79-0)

That the Conference Committee Report on House Bill No. 342 be adopted. (84-0)

That the Conference Committee Report on House Bill No. 367 be adopted. (83-0)

That the Conference Committee Report on House Bill No. 400 be adopted. (85-0)

That the Conference Committee Report on House Bill No. 446 be adopted. (85-1)

That the Free Conference Committee Report on House Bill No. 453 be adopted. (69-9)

Lockrem replaces Murphy in the Chair.

That the Conference Committee Report on House Bill No. 557 be adopted. (78-4)

That the Conference Committee Report on House Bill No. 627 be adopted. (56-29)

Harper present at this time.

That the Conference Committee Report on Senate Bill No. 112 be adopted. (79-1)

That the Conference Committee Report on Senate Bill No. 116 be not adopted. (66-23)

Murphy resumes the Chair.

That the Conference Committee Report on Senate Bill No. 235 be adopted. (59-24)

That the Conference Committee Report on Senate Bill No. 397 be adopted. (83-0)

That Senate Amendments to House Bill No. 370 be concurred in. (86-0)

That Senate Amendments to House Bill No. 648 be concurred in. (85-5)

That the Committee rise and report.

MURPHY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

April 4, 1975

I have examined House Joint Resolution No. 28 introduced by me and find the same to be correct.

FEDERICO

April 4, 1975

I have examined House Bill No. 646 introduced by me and find the same to be correct.

MC KITTRICK

April 4, 1975

I have examined House Bill No. 569 introduced by me and find the same to be correct.

LIEN

April 4, 1975

I have examined House Bill No. 561 introduced by me and find the same to be correct.

MURPHY

April 4, 1975

I have examined House Bill No. 555 introduced by me and find the same to be correct.

SCULLY

April 4, 1975

I have examined House Bill No. 545 introduced by me and find the same to be correct.

DASSINGER

April 4, 1975

I have examined House Bill No. 533 introduced by me and find the same to be correct.

CONROY

April 4, 1975

I have examined House Bill No. 517 introduced by me and find the same to be correct.

WOLFE

April 4, 1975

I have examined House Bill No. 493 introduced by me and find the same to be correct.

JAMES MOORE

April 4, 1975

I have examined House Bill No. 492 introduced by me and find the same to be correct.

JAMES MOORE

April 4, 1975

I have examined House Bill No. 409 introduced by me and find the same to be correct.

WILLIAMS

April 4, 1975

I have examined House Bill No. 324 introduced by me and find the same to be correct.

WILLIAMS

April 4, 1975

I have examined House Bill No. 243 introduced by me and find the same to be correct.

MENAHAN

April 4, 1975

I have examined House Bill No. 195 introduced by me and find the same to be correct.

KVAALEN

April 4, 1975

I have examined House Bill No. 106 introduced by me and find the same to be correct.

FABREGA

April 4, 1975

I have examined House Bill No. 77 introduced by me and find the same to be correct.

KVAALEN

April 4, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Bills Nos. 77, 106, 195, 243, 324, 409, 492, 493, 517, 533, 545, 555, 561, 569, 646, House Joint Resolution No. 28.

QUILICI, Chairman

April 4, 1975

The following bills and resolution will be signed on adjournment on April 4, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 77, 106, 195, 243, 324, 409, 492, 493, 517, 533, 545, 555, 561, 569, 646, House Joint Resolution No. 28.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

March 20, 1975

Joint Conference Committee Report On Senate Amendments to House Bill No. 474

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 474, met

March 20, 1975, and considered Senate Committee on Judiciary Amendments dated March 5, 1975, and recommend as follows:

That the Senate recede from the Senate Committee on Judiciary Amendments Nos. 1 through 4,

And that House Bill No. 474 be concurred in.

FOR THE HOUSE:

YARDLEY, Chairman
BERTELSEN

Report adopted.

FOR THE SENATE:

TOWE, Chairman
DRAKE

April 4, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 427

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 427 met April 4, 1975, and considered Senate Committee on Labor and Employment Relations Amendments dated March 21, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 through 4,

And that House Bill No. 427, as so amended, be concurred in.

FOR THE HOUSE:

KIMBLE, Chairman
MULAR
SEIFERT

Report adopted.

FOR THE SENATE:

LEE, Chairman
MEHRENS
E. SMITH

April 4, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 113

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 113, met April 4, 1975, and considered:

Senate Committee on Taxation Amendments dated March 20, 1975,

Senate Committee of the Whole Amendment dated March 22, 1975, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated March 20, 1975,

That the Senate recede from Amendments Nos. 1, 2, and 3,

And further that the House accede to Amendments Nos. 4 through 9,

Having had under consideration Senate Committee of the Whole Amendment dated March 22, 1975,

That the Senate recede from Amendment No. 1,

And that House Bill No. 113, as so amended, be concurred in.

FOR THE HOUSE:

DASSINGER, Chairman
SHELDEN
FABREGA

Report adopted.

FOR THE SENATE:

WATT, Chairman
HEALY
MATHERS

April 4, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 192

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 192 met April 4, 1975, and considered House Committee of the Whole Amendments dated March 25, 1975, and recommend as follows:

That the House recede from Amendments Nos. 1 and 2,

And that Senate Bill No. 192 be concurred in.

FOR THE SENATE:

NORMAN, Chairman
FASBENDER
TURNAGE

Report adopted.

FOR THE HOUSE:

YARDLEY, Chairman
FAGG

April 4, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 379

Mr. President and Speaker of the House:

We, your Joint Conference Committee met April 4, 1975, and considered House Committee of the Whole Amendments to Senate Bill No. 379, dated March 20, 1975, and recommend as follows:

That the House recede from Amendment No. 1,

And that Senate Bill No. 379 be concurred in.

FOR THE SENATE:

BLAYLOCK, Chairman
MURPHY
GOODOVER

Report adopted.

FOR THE HOUSE:

SOUTH, Chairman
GUNDERSON
BERTELSEN

April 4, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 310

Mr. President and Speaker of the House:

We, your Joint Conference Committee met April 4, 1975, and considered House Committee on Natural Resources Amendments dated March 18, 1975, to Senate Bill No. 310, and recommend as follows:

That the Senate accede to Amendments Nos. 1, 2, 4, and 5,

And further that the House recede from Amendment No. 3,

And further that Senate Bill No. 310, Third Reading bill, be amended as follows:

3. Amend page 3, section 5, lines 16 through line 11 on page 4.

Strike: lines 16 on page 3 through line 11 on page 4 in their entirety.

Insert: "(1) The supervisors shall receive all notices of proposed projects within their district. They shall, within five (5) days of receipt of a notice, examine and investigate the notice and determine whether the proposal is for a project. They shall, within such period, send a copy of their determination to the department and the applicant. If the supervisors determine that the proposal is not a project, the applicant may, upon receipt of written notice, proceed with the proposed activity.

(2) If the supervisors determine that the proposal is for a project, the department shall, within five (5) days of receipt of such determination, notify the supervisors whether the department requests an on-site inspection by a team.

(3) The supervisors shall call a team together within twenty (20) days of receipt of the request of the department for an on-site inspection. Any member of the team shall notify the supervisors in writing within five (5) days after notice of the call for an inspection of his waiver of participation in the inspection. If the department does not request an on-site inspection within the time specified above, the supervisors may deny or approve the project or may make recommendations for alternative plans."

And further that the House recede from Amendment No. 6,

And further that Senate Bill No. 310, Third Reading bill, be amended as follows:

6. Amend page 8, section 11, lines 22 through line 5 on page 9.

Strike: lines 22 on page 8 through line 5 on page 9 in their entirety.

Insert: "(2) By January 1, 1976, the supervisors of each district shall adopt by resolution after a public hearing rules setting standards and guidelines for projects, and exclusions, within their districts which shall meet or exceed the minimum standards set by the board under subsection (1) of this section."

And that Senate Bill No. 310, as so amended, be concurred in.

FOR THE SENATE:

MURPHY, Chairman
R. SMITH
GALT

FOR THE HOUSE:

SHELDEN, Chairman
VINCENT
J. ANDERSON

Report adopted.

April 4, 1975

Free Joint Conference Committee Report
On House Bill No. 643

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 643, met April 4, 1975, and considered Senate Committee on Finance and Claims Amendments dated March 8, 1975, and recommend as follows:

That the House accede to Amendment No. 1,

And further that the Senate recede from Amendment No. 2,

Having further considered House Bill No. 643, the Free Joint Conference Committee further recommends:

That House Bill No. 643, Third Reading bill, be amended as follows:

1. Amend title, page 1, lines 9 and 10.

Following: "reports"

Strike: "; and repealing Section 79-1015.1, R.C.M. 1947"

And that House Bill No. 643, as so amended, be concurred in.

FOR THE HOUSE:

BARDANOUE, Chairman
FISHBAUGH
WOOD

FOR THE SENATE:

FASBENDER, Chairman
FLYNN
HIMSL

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 111, introduced by Brand

House Bill No. 121, introduced by Fagg, Fabrega, et al

House Bill No. 197, introduced by Fagg, Gerke, et al

House Bill No. 198, introduced by South, C. R. Anderson

House Bill No. 341, introduced by Sheldon, Bradley, et al

House Bill No. 486, introduced by Brand, Menahan, et al

House Bill No. 566, introduced by Gunderson, Thomas, et al

House Bill No. 684, introduced by Wolfe, Palmer, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 516.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Fasbender
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 367.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 342

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 73

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 446

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to Senate Bill No. 250 were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request for the return of Senate Bill No. 220, and is herewith returning the said bill to the House for further consideration.

Respectfully yours,

John N. Hanson
Secretary of the Senate

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 175 was concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 80.

Noes: Ageson, Asher, Ellison, Fabrega, Gwynn, Johnston, Kropp, Jack Moore, O'Connell, Schye, Seifert, Sivertsen, Smith, Staigmiller, Tropila, Wood, Wyrick. Total 17.

Excused: None.

Absent or not voting: Barदानoue, Kimble, Yardley. Total 3.

Senate Amendments to House Bill No. 183 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barदानoue, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore,

Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 96.

Noes: None.

Excused: None.

Absent or not voting: Kimble, Luebeck, Sivertsen, Yardley. Total 4.

Senate Amendments to House Bill No. 372 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 96.

Noes: Dassinger. Total 1.

Excused: None.

Absent or not voting: Johnson, Kimble, Yardley. Total 3.

Senate Amendments to House Bill No. 439 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: Jack Moore. Total 1.

Excused: None.

Absent or not voting: Bertelsen, Gwynn, Hager, Kendall, Kimble, Luebeck, Yardley. Total 7.

Senate Amendments to House Bill No. 460 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison,

Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 95.

Noes: None.

Excused: None.

Absent or not voting: Huennekens, Kimble, Manuel, Schye, Yardley. Total 5.

Senate Amendments to House Bill No. 461 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 95.

Noes: Babcock. Total 1.

Excused: None.

Absent or not voting: Kimble, Lund, Meloy, Yardley. Total 4.

Senate Amendments to House Bill No. 538 were concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 95.

Noes: None.

Excused: None.

Absent or not voting: Aageson, Kimble, Sivertsen, Wood, Yardley. Total 5.

Senate Amendments to House Bill No. 539 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 95.

Noes: None.

Excused: None.

Absent or not voting: Gerke, Kimble, Meloy, Sivertsen, Yardley. Total 5.

Senate Amendments to House Bill No. 593 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 92.

Noes: Johnson, McFadden. Total 2.

Excused: None.

Absent or not voting: Bradley, Kimble, Menahan, Schye, Sivertsen, Yardley. Total 6.

Senate Amendments to House Bill No. 597 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz,

Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 95.

Noes: Hager. Total 1.

Excused: None.

Absent or not voting: Bradley, Gerke, Manuel, Yardley. Total 4.

Senate Amendments to House Bill No. 621 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 91.

Noes: Babcock, Bertelsen, Marks, Schye, Staigmilller, Teague, Wyrick. Total 7.

Excused: None.

Absent or not voting: Driscoll, Yardley. Total 2.

The Conference Committee Report on House Bill No. 342 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 98.

Noes: None.

Excused: None.

Absent or not voting: Marks, Yardley. Total 2.

The Conference Committee Report on House Bill No. 367 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper,

Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 99.

Noes: None.

Excused: None.

Absent or not voting: Yardley. Total 1.

The Conference Committee Report on House Bill No. 400 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 97.

Noes: None.

Excused: None.

Absent or not voting: Ellison, Wood, Yardley. Total 3.

The Conference Committee Report on House Bill No. 446 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 95.

Noes: Holmes, Huennekens, Sloan. Total 3.

Excused: None.

Absent or not voting: Day, Yardley. Total 2.

The Conference Committee Report on House Bill No. 453 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Scully, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 82.

Noes: Bradley, Ellison, Fabrega, Johnston, Kropp, Kvaalen, Lockrem, Mercer, Jack Moore, O'Connell, Robbins, Schye, Sivertsen, Smith, Tropila, Underdal. Total 16.

Excused: None.

Absent or not voting: Babcock, Yardley. Total 2.

The Conference Committee Report on House Bill No. 557 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 95.

Noes: Mercer, Wood, Wyrick. Total 3.

Excused: None.

Absent or not voting: Guthrie, Yardley. Total 2.

The Conference Committee Report on House Bill No. 627 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Casey, Conroy, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Hager, Halvorson, Helmbrecht, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Smith, South, Staigmilller, Teague, Tropila, Underdal, Williams, Wood, Wyrick. Total 64.

Noes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Dassinger, Driscoll, Dussault, Federico, Fleming, Gunderson, Gwynn, Hageman, Harper, Herlevi, Holmes, Johnson, Kemmis, Kummerfeldt, Luebeck, Magone, Manuel, James Moore, Mular, Palmer, Richards, Sloan, Stoltz, Thomas, Travis, Vincent, Wolfe, Mr. Speaker. Total 33.

Excused: None.

Absent or not voting: O'Connell, Sivertsen, Yardley. Total 3.

The Conference Committee Report on Senate Bill No. 112 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 96.

Noes: Brand. Total 1.

Excused: None.

Absent or not voting: Kvaalen, Marks, Yardley. Total 3.

The Conference Committee Report on Senate Bill No. 235 was adopted by the following vote:

Ayes: J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 73.

Noes: Aageson, Babcock, Fabrega, Fagg, Guthrie, Gwynn, Hubing, Jacobsen, Johnson, Johnston, Kropp, Kvaalen, Lockrem, Robbins, Schye, Seifert, Sivertsen, Sloan, Smith, Travis, Underdal, Wood. Total 22.

Excused: None.

Absent or not voting: C. R. Anderson, Bertelsen, Gerke, Marks, Yardley. Total 5.

The Free Conference Committee Report on Senate Bill No. 397 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell,

Palmer, Quilici, Rasmussen, Robbins, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 93.

Noes: Brand, Huennekens, Johnson, Richards. Total 4.

Excused: None.

Absent or not voting: Gerke, Schye, Yardley. Total 3.

Senate Amendments to House Bill No. 370 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley. Total 96.

Noes: None.

Excused: None.

Absent or not voting: Gerke, Kendall, Marks, Mr. Speaker. Total 4.

Senate Amendments to House Bill No. 648 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Rasmussen, Schye, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Day, Hubing, Johnston, Kropp, Murphy, Richards, Robbins, Sloan, Smith. Total 9.

Excused: None.

Absent or not voting: Gerke, Marks, Quilici. Total 3.

REPORTS OF STANDING COMMITTEES

April 4, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 712, respectfully report as follows: That House Bill No. 712 be amended in the introduced bill as follows:

1. Amend page 2, section 1, line 2.

Following: "agency"

Insert: ", or to obtain financing to expand a project from funds which were not available for consideration by the legislature, but which have become available"

2. Amend page 2, section 2, line 3.

Following: "No"

Strike: "new capital project may be established and no"

3. Amend page 2, section 2, line 6.

Following: "legislature"

Insert: "unless the capital project expansion is authorized by an approved budget amendment"

4. Amend page 3, section 7, line 20.

Strike: line 20 in its entirety.

Insert: "Missoula \$ 890,000

(If the electors in the benefited area have not voted or otherwise agreed to pay the local share of the cost of the vo-tech complex on South Avenue, which amounts to four hundred ten thousand dollars (\$410,000), by July 1, 1976, the money appropriated as the state's share from the long-range building fund shall be reduced to six hundred forty-six thousand dollars (\$646,000) for construction of the facility at Fort Missoula.)"

5. Amend page 4, section 7, line 15.

Following: "and"

Strike: "prisoners"

Insert: "pioneers"

6. Amend page 5, section 7, following line 23.

Insert: "Central office

Construct two nursing homes 2,500,000 500,000"

7. Amend page 6, section 7, line 23.

Following: "cottages,"

Strike: "Maple, Adair"

Insert: "Cottonwood"

8. Amend page 8, section 7, lines 9 through 11.

Strike: lines 9 through 11 in their entirety.

9. Amend page 8, section 8, line 15.

Following: "appropriated"

Strike: "\$7,650,796"

Insert: "\$8,335,353"

10. Amend page 8, section 8, line 16.

Following: "fund"

Insert: "and \$195,443 from federal and private revenue fund, federal revenue sharing capital construction account 04601"

11. Amend page 8, following line 20.

Insert: "Section 9. (1) The authorization to renovate cottages, Boulder river school and hospital, in Senate Bill No. 54 of the Forty-third Legislative Assembly is hereby reauthorized for fire safety modifications in 6 new cottages and conversion of cottages VI and VII to offices.

(2) Also, the authorization of ninety-five thousand dollars (\$95,000) from the long-range building fund to construct Carbon Hills watershed in House Bill No. 1119 of the Forty-third Legislative Assembly is hereby reauthorized, if needed for award of project, to construct dormitory addition, center for the aged, Lewistown.

Section 10. The following money is appropriated from indicated funds and accounts to the director, department of administration, for the biennium ending June 30, 1977, for the indicated capital projects."

12. Amend page 9, present section 8, line 8.

Strike: "Relocate Sun River headquarters"

Insert: "Land developed for wildlife purposes"

13. Amend page 9, present section 8, line 12.

Strike: "sites"

Insert: "and small game sites"

14. Amend page 9, present section 8, line 24.

Following: "equipment"

Insert: "garage"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

MOTIONS

Jim Moore moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bills Nos. 633 and 602.

Motion carried.

Lynch moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 63.

Motion carried.

Hager moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 401.

Motion carried.

Murphy moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on House Amendments to Senate Bill No. 116.

Motion carried.

Halvorson moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 115.

Motion carried.

Scully moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 177.

Motion carried.

Lester moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 27.

Motion carried.

Driscoll moved that the House adjourn until 10:00 a.m., April 5, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 5, 1975

House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Herlevi, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventy-third Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 27: Lester, Chairman, Yardley, and Seifert.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 63: Lynch, Chairman, Herlevi, and Rasmussen.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 177: Gerke, Chairman, Scully, and Asher.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 115: Halvorson, Chairman, Dassinger, and Fagg.

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 154: Bardanouve, Chairman, Menahan, and Gould.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 401: Bradley, Chairman, Day, and Hager.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 602: Holmes, Chairman, Jim Moore, and Lory.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 633: Jim Moore, Chairman, Lester, and C. R. Anderson.

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 116: South, Chairman, Scully, and Bertelsen.

REPORTS OF STANDING COMMITTEES

April 5, 1975

The following bills were signed in the office of the Speaker of the House

of Representatives on April 4, 1975: Senate Bills Nos. 92, 140, 180, 210, 269, 318, 364, 371, 374, 387.

Edwin A. Smith, Chief Clerk
House of Representatives

April 5, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on April 4, 1975: House Bills Nos. 9, 13, 29, 45, 77, 93, 106, 112, 125, 127, 140, 152, 173, 195, 202, 207, 243, 290, 299, 324, 354, 409, 445, 451, 452, 492, 493, 507, 517, 533, 545, 555, 561, 569, 646, 656, 691, House Joint Resolution No. 28.

Edwin A. Smith, Chief Clerk
House of Representatives

April 5, 1975

The following bills will be signed on adjournment on April 5, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 23, 97, 104, 108, 135, 161, 164, 173, 179, 186, 189, 223, 237, 245, 255, 279, 315, 327, 331, 339, 372.

Edwin A. Smith, Chief Clerk
House of Representatives

March 25, 1975

Mr. Speaker: We, your Committee on Joint Rules, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254, in accordance with Article VIII, Section 6 (2), of the Montana Constitution, was improperly transmitted to the Senate and cannot be further acted on by the Senate and is, therefore, returned to the House.

Do pass.

NEIL LYNCH, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

April 4, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 130

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 130, met April 4, 1975, and considered Senate Committee on Taxation Amendments dated March 10, 1975, and recommend as follows:

That the House accede to Amendments nos. 1, 2, 3, and 4,

And that House Bill No. 130, as so amended, be concurred in.

FOR THE HOUSE

BRAND, Chairman
TEAGUE
HUBING

Report adopted.

FOR THE SENATE

WATT, Chairman
HEALY
MATHERS

MESSAGES FROM THE OTHER HOUSE

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill, as amended, was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 540, introduced by Holmes, Palmer, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Jack Moore moved that the conference committee on Senate Amendments to House Bill No. 73 be dissolved and that the Speaker be authorized to appoint a new conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 73.

Motion carried.

Yardley moved that consideration of Senate Bill No. 220 now on Second Reading be passed this legislative day.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint conference committees of three to meet with like committees from the Senate to confer on Senate Amendments to House Bill No. 581 and Senate Amendments to House Bill No. 683.

Motion carried.

Driscoll moved that House Bill No. 254 be placed on Second Reading this day.

Motion carried.

Meloy moved that the rules be suspended so that unamended bills, Senate Amendments to House Bills and Conference Committee reports which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

Bertelsen moved that consideration of the Conference Committee Report on House Bill No. 474 now on Second Reading be passed this legislative day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

Senate Joint Resolution No. 31, introduced by R. Smith, Conover, Dunkle, Goodover, Healy, Aber, Graham, Manning, Norman: A Joint Resolution of the Senate and the House of Representatives of the State of Montana expressing the understanding and intent of the Legislature

with regard to periodic motor vehicle inspection standards presently being developed by the Department of Justice, Motor Vehicle Division. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Jack Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 5, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 67 do pass. (94-0)

That Senate Bill No. 24 be not concurred in. (65-31)

That House Bill No. 254 be passed for the day.

That Senate Amendments to House Bill No. 111 be not concurred in. (87-0)

That Senate Amendments to House Bill No. 121 be passed for the day.

That Senate Amendments to House Bill No. 197 be passed for the day.

That Senate Amendments to House Bill No. 198 be not concurred in. (72-12)

That Senate Amendments to House Bill No. 341 be not concurred in. (71-12)

That Senate Amendments to House Bill No. 486 be concurred in. (83-0)

That Senate Amendments to House Bill No. 566 be concurred in. (55-39)

That Senate Amendments to House Bill No. 684 be not concurred in. (66-14)

That the Conference Committee Report on House Bill No. 113 be adopted. (81-2)

That the Conference Committee Report on House Bill No. 427 be adopted. (69-12)

That the Conference Committee Report on House Bill No. 643 be adopted. (83-0)

That the Conference Committee Report on Senate Bill No. 29 be adopted. (82-2)

That the Conference Committee Report on Senate Bill No. 192 be not adopted. (55-37)

That the Conference Committee Report on Senate Bill No. 310 be adopted. (74-12)

That the Conference Committee Report on Senate Bill No. 354 be adopted. (84-5)

That the Conference Committee Report on Senate Bill No. 379 be adopted. (66-29)

That the Committee rise and report.

JACK MOORE,
Chairman

Bardanoue moved that the Conference Committee Report on Senate Bill No. 192 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 581: Huennekens, Chairman, Meloy and Ellison.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 683: Bardanoue, Chairman, Hageman, and Lund.

REPORTS OF STANDING COMMITTEES

April 5, 1975

I have examined House Bill No. 83 introduced by me and find the same to be correct.

DAY

April 5, 1975

I have examined House Bill No. 176 introduced by me and find the same to be correct.

GERKE

April 5, 1975

I have examined House Bill No. 179 introduced by me and find the same to be correct.

SOUTH

April 4, 1975

I have examined House Bill No. 217 introduced by me and find the same to be correct.

MC KITTRICK

April 5, 1975

I have examined House Bill No. 267 introduced by me and find the same to be correct.

FINLEY

April 5, 1975

I have examined House Bill No. 302 introduced by me and find the same to be correct.

WILLIAMS

April 5, 1975

I have examined House Bill No. 320 introduced by me and find the same to be correct.

THOMAS

April 5, 1975

I have examined House Bill No. 340 introduced by me and find the same to be correct.

SHELDEN

April 5, 1975

I have examined House Bill No. 420 introduced by me and find the same to be correct.

RICHARDS

April 5, 1975

I have examined House Bill No. 434 introduced by me and find the same to be correct.

LORY

April 5, 1975

I have examined House Bill No. 435 introduced by me and find the same to be correct.

DUSSAULT

April 5, 1975

I have examined House Bill No. 436 introduced by me and find the same to be correct.

KEMMIS

April 5, 1975

I have examined House Bill No. 472 introduced by me and find the same to be correct.

BARDANOUE

April 5, 1975

I have examined House Joint Resolution No. 37 introduced by me and find the same to be correct.

DRISCOLL

April 5, 1975

I have examined House Joint Resolution No. 65 introduced by me and find the same to be correct.

ASHER

April 5, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolutions correctly enrolled: House Bills Nos. 83, 176, 179, 217, 267, 302, 320, 340, 420, 434, 435, 436, 472, House Joint Resolutions Nos. 37, 65.

QUILICI, Chairman

April 5, 1975

The following bills and resolutions will be signed on adjournment on April 5, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 83, 176, 179, 217, 267, 302, 320, 340, 420, 434, 435, 436, 472, House Joint Resolutions Nos. 37, 65.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on Senate Bill No. 397

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 333, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 333.

The President appointed the following members:

Senator Norman, Chairman
Senator Lee
Senator Himsl

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on House Bill No. 154, and the President was authorized to appoint a New Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Amendments to House Bill No. 154.

The President appointed the following members:

Senator Foster, Chairman
Senator Blaylock
Senator Nelson

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate this day failed to concur in House Amendments to Senate Bill No. 13, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 13.

The President appointed the following members:

Senator Manning, Chairman
Senator Towe
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 86, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 86.

The President appointed the following members:

Senator Manning, Chairman
Senator Towe
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 87, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 87.

The President appointed the following members:

Senator Manning, Chairman
Senator Towe
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on Committee of the Whole failed to concur in the Confer-

ence Committee Report on House Amendments to Senate Bill No. 116, and the President was authorized to appoint a New Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 116.

The President appointed the following members:

Senator Greely, Chairman
Senator Warden
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 227, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 227.

The President appointed the following members:

Senator Roberts, Chairman
Senator Warden
Senator Brown

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 314, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 314.

The President appointed the following members:

Senator Greely, Chairman
Senator Warden
Senator Brown

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 342, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 342.

The President appointed the following members:

Senator Fasbender, Chairman
Senator Cetrone
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Bertelsen moved that the original Conference Committee Report on Senate Amendments to House Bill No. 474 be withdrawn.

Motion carried.

Murphy moved that the Conference Committee on House Amendments to Senate Bill No. 116 be dissolved and the the Speaker be authorized to appoint a new conference committee of three to meet with a like committee from the Senate to confer on House Amendments to Senate Bill No. 116.

Motion carried.

Huennekens moved that the original Conference Committee Report on Senate Amendments to House Bill No. 184 be withdrawn.

Motion carried.

Brand moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 111.

Motion carried.

Shelden moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 341.

Motion carried.

Wolfe moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 684.

Motion carried.

South moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 198.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 67 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould,

Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Sivertsen. Total 2.

Senate Amendments to House Bill No. 486 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Manuel, Sivertsen. Total 3.

Senate Amendments to House Bill No. 566 were concurred in by the following vote:

Ayes: J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, Magone, Manuel, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley. Total 64.

Noes: Aageson, C. R. Anderson, Asher, Babcock, Barrett, Bertelsen, Casey, Driscoll, Dussault, Ellerd, Ellison, Guthrie, Hager, Hubing, Jacobsen, Johnston, Kemmis, Kendall, Kropp, Lockrem, Lory, Lund, McFadden, Marks, Meloy, Mercer, Rasmussen, Schye, Seifert, Smith, Underdal, Wyrick, Mr. Speaker. Total 33.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Sivertsen. Total 2.

The Conference Committee Report on House Bill No. 113 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Brand, Hager, Lockrem, Mercer, Mular, Smith. Total 6.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Sivertsen. Total 2.

The Conference Committee Report on House Bill No. 427 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 77.

Noes: Aageson, Asher, Brand, Casey, Ellerd, Ellison, Fabrega, Gilligan, Johnston, Kelly, Kvaalen, Lockrem, Marks, Mercer, Jack Moore, Richards, Smith, Wood, Wyrick. Total 19.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Kimble, Sivertsen. Total 3.

The Conference Committee Report on House Bill No. 643 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Guthrie, Hubing, Smith. Total 3.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Hager, Sivertsen. Total 3.

The Conference Committee Report on Senate Bill No. 29 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Hageman, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Dassinger, Ellison, Gwynn, Hager. Total 4.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Halvorson, Sivertsen. Total 3.

The Conference Committee Report on Senate Bill No. 310 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Shelden, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Aageson, Bengtson, Bradley, Casey, Harper, Kropp, Luebeck, Marks, Meloy, Richards, Seifert, Staigmiller, Underdal, Vincent. Total 14.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Lien, Sivertsen. Total 3.

The Conference Committee Report on Senate Bill No. 354 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Bradley, Johnson, Luebeck, Mular, Richards, Sloan, Staigmiller. Total 7.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Sivertsen. Total 2.

The Conference Committee Report on Senate Bill No. 379 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellerd, Ellis, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gwynn, Helmbrecht, Holmes, Huennekens, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Scully, Seifert, Shelden, South, Stoltz, Thomas, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, Babcock, Bengtson, Brand, Casey, Conroy, Day, Ellison, Fabrega, Fishbaugh, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Hubing, Jacobsen, Johnson, Johnston, Kropp, Lien, Lund, Jack Moore, James Moore, Robbins, Sloan, Smith, Staigmiller, Teague, Travis, Underdal, Wood. Total 33.

Excused: Herlevi. Total 1.

Absent or not voting: Gerke, Rasmussen, Schye, Sivertsen. Total 4.

Driscoll moved that the House adjourn until 1:30 p.m., April 7, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 7, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Herlevi, Finley, Seifert, and Thomas, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventy-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 73: Finley, Chairman, Dussault, and Casey.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 13: Halvorson, Chairman, Kemmis, and Fagg.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 342: Conroy, Chairman, Williams and Casey.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 341: Sheldon, Chairman, Bradley, and Bertelsen.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 684: Wolfe, Chairman, Kendall, and Barrett.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 198: South, Chairman, Bengtson, and Fagg.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 111: Jim Moore, Chairman, Brand, and Lory.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 333: Bardanoue, Chairman, Kimble, and Jack Moore.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 314: Scully, Chairman, W. Baeth, and Rasmussen.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 227: Dussault, Chairman, Lester, and Ellison.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 87: Halvorson, Chairman, Kemmis, and Fagg.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 86: Halvorson, Chairman, Conroy, and Fagg.

REPORTS OF STANDING COMMITTEES

April 7, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 5, 1975: Senate Bills Nos. 23, 97, 104, 108, 135, 161, 164, 173, 179, 186, 189, 223, 237, 245, 255, 279, 315, 327, 331, 339, 372.

Edwin A. Smith, Chief Clerk
House of Representatives

April 7, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on April 5, 1975: House Bills Nos. 83, 176, 179, 217, 267, 302, 320, 340, 420, 434, 435, 436, 472, House Joint Resolutions Nos. 37, 65.

Edwin A. Smith, Chief Clerk
House of Representatives

April 5, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly printed: House Bill No. 712.

QUILICI, Chairman

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 348 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 81.

Noes: None.

Excused: Finley, Herlevi, Seifert, Thomas. Total 4.

Absent or not voting: Babcock, Conroy, Fagg, Federico, Halvorson, Jacobsen, Kimble, Marks, Mercer, James Moore, Mular, Scully, Shelden, Sivertsen, Yardley. Total 15.

REPORTS OF SELECT COMMITTEES

April 3, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 103

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 103, met April

3, 1975, and considered Senate Committee of the Whole Amendments dated March 26, 1975, and recommend as follows:

That the Senate recede from Amendment No. 1,

And further that the House accede to Amendment No. 2,

And further that the Senate recede from Amendment No. 3,

And that House Bill No. 103, as so amended, be concurred in.

FOR THE HOUSE:

JACOBSEN, Chairman
GUNDERSON
JACK MOORE

FOR THE SENATE:

BOYLAN, Chairman
JERGESON
KOLSTAD

Report adopted.

April 5, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 143

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 143, met April 4 and April 5, 1975, and considered Senate Committee of the Whole Amendments dated March 24, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1, 2, and 3,

And further that House Bill No. 143, Third Reading bill, be amended as follows:

3. Amend page 1, section 1, line 18.

Following: "passage;"

Insert: "provided, however, a hearing is held upon notice reasonably designed to inform all affected parties and in no event shall notice be less than publication in a newspaper of general circulation at least seven (7) days before the hearing, and in no event shall the hearing be held later than thirty (30) days after the adoption of the ordinance; provided further,"

And that House Bill No. 143, as so amended, be concurred in.

FOR THE HOUSE:

KEMMIS, Chairman
SOUTH
FAGG

FOR THE SENATE:

ROMNEY, Chairman
MURPHY
STORY

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 622, introduced by Kimble, Jim Moore, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 55, introduced by Gunderson, Kemmis, et al

House Bill No. 335, introduced by Kummerfeldt, South, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's amendments to Senate Bill No. 198 were this day concurred in and are herewith transmitted to the House for concurrence.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's Amendments to House Bill No. 338 were this day concurred in and are herewith returned to the House.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolutions were this day read three several times, and passed, title and history agreed to, and the said resolutions are herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 32, introduced by Lynch, Story, Healy, et al

Senate Joint Resolution No. 33, introduced by Story, Lynch, Lee, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to the following Senate Bills were this day concurred in by the Senate:

House Amendments to Senate Bill No. 230

House Amendments to Senate Bill No. 233

House Amendments to Senate Bill No. 246

House Amendments to Senate Bill No. 265

House Amendments to Senate Bill No. 370

House Amendments to Senate Bill No. 386

House Amendments to Senate Bill No. 401

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to the following Senate Bills were this day concurred in by the Senate:

House Amendments to Senate Bill No. 124

House Amendments to Senate Bill No. 316

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 27.

The President appointed the following members:

Senator Devine, Chairman

Senator Jergeson

Senator Goodover

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 63.

The President appointed the following members:

Senator Lee, Chairman
Senator Seibel
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 115.

The President appointed the following members:

Senator Towe, Chairman
Senator Manning
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 177.

The President appointed the following members:

Senator Romney, Chairman
Senator Murphy
Senator McCallum

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 401.

The President appointed the following members:

Senator Flynn, Chairman
Senator Colberg
Senator McCallum

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 633.

The President appointed the following members:

Senator Towe, Chairman
Senator Regan
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 602.

The President appointed the following members:

Senator Towe, Chairman
Senator Regan
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 581.

The President appointed the following members:

Senator Manning, Chairman
Senator Jergeson
Senator Roskie

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 474, and the President was authorized to appoint a New Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 474.

The President appointed the following members:

Senator Towe, Chairman
Senator Cetrone
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 221, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 221.

The President appointed the following members:

Senator Lynch, Chairman
Senator Warden
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 395, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 395.

The President appointed the following members:

Senator Roberts, Chairman
Senator Graham
Senator Galt

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 236, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 236.

The President appointed the following members:

Senator Norman, Chairman
Senator Flynn
Senator Dunkle

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 254, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 254.

The President appointed the following members:

Senator Graham, Chairman
Senator R. Smith
Senator Dunkle

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 78, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 78.

The President appointed the following members:

Senator Greely, Chairman
Senator Murphy
Senator Rosell

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 567, and the President was authorized to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 567.

The President appointed the following members:

Senator Cetrone, Chairman
Senator Roberts
Senator Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 683.

The President appointed the following members:

Senator Flynn, Chairman
Senator Manley
Senator E. Smith

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No. 310

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No. 29

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No.
354

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No.
379

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No.
627

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No.
400

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report on House Bill No. 453 was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 453

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 5, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 557

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that the rules be suspended so that unamended bills, Senate Amendments to House Bills, and Conference Committee Reports which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

South moved that House Bill No. 576 be placed below House Bill No. 712 on the board on Second Reading.

Motion carried.

Dussault moved that the House reconsider its action of the Seventy-fourth Legislative Day in concurring in Senate Amendments to House Bill No. 566 on Third Reading.

Motion failed.

Fagg moved that consideration of House Bill No. 254 be passed this legislative day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Rasmussen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 7, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 220 be passed to the bottom of the board.

That the following Governor's amendments to Senate Bill No. 198 be concurred in:

1. Amend title, line 7.

Following: "accounts"

Insert: "in the federal and private grant clearance fund"

2. Amend page 4, section 1, lines 13 and 14.

Strike: "related clearing accounts"

Insert: "federal and private grant clearance fund" (79-3)

That House Bill No. 712 do pass. (71-22)

That the Committee rise and report.

RASMUSSEN, Chairman

Jim Moore moved that House Bill No. 712 be segregated from the Committee of the Whole report and as amended be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

April 7, 1975

I have examined House Bill No. 70 introduced by me and find the same to be correct.

JAMES MOORE

April 7, 1975

I have examined House Bill No. 245 introduced by me and find the same to be correct.

BRAND

April 7, 1975

I have examined House Bill No. 282 introduced by me and find the same to be correct.

GUNDERSON

April 7, 1975

I have examined House Bill No. 332 introduced by me and find the same to be correct.

JOHNSON

April 7, 1975

I have examined House Bill No. 424 introduced by me and find the same to be correct.

JAMES MOORE

April 7, 1975

I have examined House Bill No. 480 introduced by me and find the same to be correct.

ELLERD

April 7, 1975

I have examined House Bill No. 519 introduced by me and find the same to be correct.

HARPER

April 7, 1975

I have examined House Bill No. 583 introduced by me and find the same to be correct.

AAGESON

April 7, 1975

I have examined House Bill No. 647 introduced by me and find the same to be correct.

JAMES MOORE

April 7, 1975

I have examined House Bill No. 671 introduced by me and find the same to be correct.

DUSSAULT

April 7, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 70, 245, 282, 332, 424, 480, 519, 583, 647, 671.

QUILICI, Chairman

April 7, 1975

The following bills will be signed on adjournment on April 7, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 70, 245, 282, 332, 424, 480, 519, 583, 647, 671, Senate Bills Nos. 25, 96, 130, 134, 201, 217, 300, 334, 337.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 7, 1975

Joint Conference Committee Report No. 2
On Senate Amendments to House Bill No. 154

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 154, met April 7, 1975, and considered Senate Committee on Public Health, Welfare and Safety Amendment dated March 14, 1975, and recommend as follows:

That the Senate recede from Amendment No. 1,

And that House Bill No. 154 be concurred in.

FOR THE HOUSE:

BARDANOUE, Chairman
GOULD
MENAHAH

FOR THE SENATE:

FOSTER, Chairman
BLAYLOCK
NELSON

Report adopted.

April 7, 1975

Free Joint Conference Committee Report
On House Bill No. 567

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 567, met April 4, 1975, and considered Senate Committee on Judiciary Amendments dated March 17, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 and 2,

And further that the Senate recede from Amendment No. 3,

And further that House Bill No. 567, Third Reading bill, be amended as follows:

3. Amend page 1, section 1, line 23.

Following: "any"

Strike: "attorney"

Insert: "professional person"

And further that the House accede to Amendment No. 4,

Having further considered House Bill No. 567, the Free Joint Conference Committee further recommends:

That House Bill No. 567, Third Reading bill, be amended as follows:

1. Amend page 1, section 1, line 25.

Following: "records,"

Insert: "or certified copies of such records,"

And that House Bill No. 567, as so amended, be concurred in.

FOR THE HOUSE:

JIM MOORE, Chairman
JACOBSEN
SMITH

FOR THE SENATE:

CETRONE, Chairman
ROBERTS
TURNAGE

Report adopted.

April 7, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 184

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 184, met April 1 and April 2, 1975, and considered Senate Committee on State Administration Amendment dated March 17, 1975, and recommend as follows:

That the House accede to Amendment No. 1,

And that House Bill No. 184, as so amended, be concurred in.

FOR THE HOUSE:

LIEN, Chairman
ELLERD

FOR THE SENATE:

JERGESON, Chairman
MURPHY
ROSELL

Report adopted.

MESSAGES FROM THE GOVERNOR

April 7, 1975

Honorable Gordon McOmber
President of the Senate
State Capitol

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor, I return Senate Bill No. 251, "An act to amend section 31-105, R.C.M. 1947, redefining the rank structure of the Montana Highway Patrol; and providing for an effective date", without my signature and recommend the following amendments.

In exercising this amendatory veto, I emphasize that I express no opinion, one way or the other, on the intent of this act. However, Section 31-105, as presented to me in this bill, contains many archaic references that should be changed as long as the section is before the Legislature.

The Executive Reorganization Act of 1971 reorganized the many agencies of state government into 19 principal departments. Of those 19 departments, all, save the Department of Justice, have prepared bills to recodify and generally revise the laws related to them and have presented those bills to the Legislature. Because the Department of Justice has failed to prepare such a bill, it is left to the Legislature to make the changes necessary to reflect executive reorganization when an affected section comes before it.

The Highway Patrol Board, mentioned in Senate Bill No. 251, was abolished and its functions transferred to the Division of Motor Vehicles, Department of Justice, in Section 82A-1205, R.C.M. 1947. The changes necessary to reflect this transfer should be made in Section 31-105.

Also, Section 31-105 contains an annual longevity increase for highway patrolmen. This increase will be directly in conflict with the longevity plan contained in the wage and salary plan passed by the Legislature and should be deleted.

For these reasons I am returning Senate Bill No. 251 without my signature and recommending the attached amendments. I urge your concurrence.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House

Bill No. 642, requiring a two-thirds affirmative vote by the Senate, was this day read three several times, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 164, introduced by Menahan

House Bill No. 488, introduced by Halvorson

House Bill No. 528, introduced by Richards, Scully, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No. 192

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 184

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 643

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 130

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 113

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 427

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 663, introduced by Kemmis, Fagg, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

House Bill No. 713, introduced by Bardanouve, Lund: A Bill for an Act entitled: "An act directing the assignment of future available space in the present quarters of the Department of Highways to State Departments according to the priorities detailed herein." Referred to Committee on Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Governor's Amendments to Senate Bill No. 198 were concurred in by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Sheldon, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: Jack Moore. Total 1.

Excused: Finley, Herlevi, Seifert, Thomas. Total 4.

Absent or not voting: Driscoll, Johnston, Kropp, Schye. Total 4.

Driscoll moved that the House adjourn until 1:30 p.m., April 8, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 8, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Federico, Seifert, and Thomas, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventy-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 78: Kimble, Chairman, Vincent, and Lory.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 221: Scully, Chairman, Brand, and Lory.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 236: Huennekens, Chairman, Manuel, and Gould.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 254: Jacobsen, Chairman, Kelly, and Underdal.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 395: Fishbaugh, Chairman, Day, and J. Anderson.

REPORTS OF STANDING COMMITTEES

April 8, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 7, 1975: House Bills Nos. 70, 245, 282, 332, 424, 480, 519, 583, 647, 671, Senate Bills Nos. 25, 96, 130, 134, 201, 217, 300, 334, 337.

Edwin A. Smith, Chief Clerk
House of Representatives

April 8, 1975

The following bills will be signed on adjournment on April 8, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 1, 32, 91, 143, 295.

Edwin A. Smith, Chief Clerk
House of Representatives

April 8, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 713, respectfully report as follows: That House Bill No. 713 do pass.

BARDANOUVE, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

April 4, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 76

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 76, met April 4, 1975, and considered:

House Committee on Judiciary Amendments dated March 12, 1975,
House Committee on Judiciary Amendments dated March 14, 1975,
House Committee of the Whole Amendments dated March 19, 1975, and
recommend as follows:

Having had under consideration House Committee on Judiciary Amendments dated March 12, 1975,

That the House recede from Amendment No. 1,

Having had under consideration House Committee on Judiciary Amendments dated March 14, 1975,

That the House recede from Amendment No. 1,

Having had under consideration House Committee of the Whole Amendments dated March 19, 1975,

That the House recede from Amendment No. 1,

And further that Senate Bill No. 76, Third Reading copy, be amended as follows:

1. Amend page 18, section 10, lines 2, 3, and 4.

Following: "receive"

Strike: "the same salary as a state district court judge and shall receive the same salary increases awarded such judges"

Insert: "an annual salary of twenty-two thousand five hundred dollars (\$22,500) and the salary commission may recommend salary increases to the legislature"

And that Senate Bill No. 76, as so amended, be concurred in.

FOR THE SENATE:

ROBERTS, Chairman
HEALY
KROPP

FOR THE HOUSE:

JAMES MOORE, Chairman
W. BAETH

Report adopted.

MESSAGES FROM THE GOVERNOR

April 8, 1975

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor, I return Senate Bill No. 135, "An act to amend Section 82-4204, R.C.M. 1947, to provide for publication and mailing of notice of proposed rules at least thirty (30) days prior to the agency's intended action; to provide twenty (20) days to submit data; and to provide for the extension of a hearing date up to twenty (20) days", without my signature and recommend the following amendments.

Under rules adopted by the Secretary of State's Office for publication of notices under the Administrative Procedure Act, all proposed rules must be filed with the Secretary of State's Office prior to the 10th of each month. Therefore, the thirty day notice requirement as proposed in Senate Bill No. 135 virtually precludes the preparation and adoption of final rules for submission to the Secretary of State for inclusion in the Administrative Procedure Act before the filing deadline for the succeeding month. In other words, even in situations where there are no comments on the proposed adoption of rules, the agency would have to wait two months before final rules could be adopted. Therefore, I am requesting that the thirty day notice requirement be reduced to the twenty day notice requirement contained originally in the Administrative Procedure Act.

My proposed amendment #4 reduces from twenty days to fourteen days the minimum amount of time that must be afforded interested persons to comment upon proposed rules. This time reduction is consistent with my other proposed amendments to reduce from thirty days to twenty days the notice requirements of the Administrative Procedure Act.

I must emphasize that these proposed amendments do not affect what I consider to be the most important amendment to the Administrative Procedure Act in Senate Bill No. 135. That amendment is found on page two of the bill and provides that an interested person may file a written request with the agency to extend a hearing date up to twenty days. This substantive change is needed and I wholeheartedly concur in that amendment.

I thank you for your consideration of this matter.

Sincerely,

THOMAS L. JUDGE
Governor

April 8, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor,

I hereby veto House Bill No. 155, "An act establishing policies and procedures for contracting professional services by the state; prohibiting the payment of contingent fees for professional services contracts; providing penalties; and repealing Section 82-3319, R.C.M. 1947." I exercise this veto for three reasons.

First, House Bill No. 155 would create a time consuming, costly, bureaucratic procedure for entering into contracts for professional services. There are many instances in which contracts for professional services must be issued on short notice to acquire needed information before a timely decision can be made on a matter. For example, under the Utility Siting Law and the State's air pollution laws, the agencies involved must comply with strict time limitation requirements in reviewing applications for certificates and permits. Compliance with the procedures outlined in House Bill No. 155 would, in many instances, jeopardize the ability of the agency to make a decision within the time frame specified. Time requirements in many of the State's other laws are even more stringent and it would not be possible for the agencies affected to acquire timely information from professional service organizations if full compliance with House Bill No. 155 was required.

House Bill No. 155 also fails to deal with emergency situations that may arise. For example, the Department of Health and Environmental Sciences often contracts with out-of-state hospitals for surgery, such as open heart surgery for children. The total cost of these contracts is in excess of \$3,000. The provisions of House Bill No. 155 would apply to these situations and I do not believe that the health of an individual should be jeopardized to satisfy the requirements of House Bill No. 155.

Second, the cost of fully implementing House Bill No. 155 could be prohibitive for state agencies. The Public Employees Retirement Division of the Department of Administration has expressed alarm about the financial impact that House Bill No. 155 would have on that Division. As most of you are aware, actuarial evaluation of the PERS system involves a continuing consideration of the various retirement systems, including calculations affecting not only current operations but funding costs that can adversely affect taxpayers forty years into the future. For this reason, it is necessary to acquire the consulting services of a firm with actuarial information about every section of the retirement act, including attorney general's opinions and the Board of Administration's interpretations and application of the retirement act. The Division has found it to be in the best interest of the people of Montana to continue to retain an established firm with past experience in interpreting the provisions of retirement acts.

Under the provisions of House Bill No. 155, however, a change in actuaries would have to be made periodically and this could have a significant financial impact. Under a low bid consideration, a firm may win on a low bid basis but not be able to provide critical services that the Division needs. Or if the service level remained the same, the cost could be increased significantly if the firm had not had previous experience and was required to gear up to advise the Division on actuarial matters. The Division has estimated that it would cost between \$2,000 and \$20,000 for each actuarial consultant change depending upon the time involved in reviewing each retirement system with the new actuary and programing the present computer systems to compile the historical data in a new format compatible with the new actuary's equipment and programs. Furthermore, the Division estimates that a change in actuary would take at least six months to accomplish. I believe that these costs and delays are unnecessary.

To further illustrate the financial impact that House Bill No. 155 would have on state government, I have enclosed a letter from the Chairman of the Senate Finance and Claims Committee stating that the Committee will not appropriate the \$95,000 necessary to fully implement House Bill No. 155. Senator Thiessen goes on to request, on behalf of the Committee, that I veto House Bill No. 155 because "...the bill does not merit such an appropriation...". I agree with the Committee's conclusion.

Third, I am uncertain as to the impact of House Bill No. 155 on businesses and professional service organizations who are not residents of Montana. On its face, the provisions of House Bill No. 155 appear not to discriminate against out-of-state firms. Subsection (1) of Section 4 does state, however, that "in the procurement of professional services for any agency, the department shall require firms engaged in the lawful (emphasis added) practice of their professions who seek to perform such services to submit annually a statement of qualifications and performance data." The phrase "lawful practice" would seem to preclude any professional organization or business not lawfully entitled to do business in this state from participating in the provisions of House Bill No. 155. This in itself creates problems for many administrative agencies.

For example, Mr. Ted Schwinden, who serves as Commissioner of State Lands, has received a request from the Tri-County Ranchers Association asking the Department to retain either the U.S. Salinity Lab in California or the Mandan, North Dakota Research Center to do a soils analysis of the sodium spoils at the Decker Mine. The request has been made to Mr. Schwinden because the Tri-County Ranchers Association believes that the assistance of independent experts is needed in this particular situation. Similar requests have been made to other state agencies in the past. I question whether a legitimate request for an independent analysis could be granted under the provisions of House Bill No. 155.

I thank you for your careful consideration of this veto message.

Sincerely,

THOMAS L. JUDGE
Governor

April 7, 1975

The Honorable Tom Judge
The Governor of Montana
State Capitol Building
Helena, Montana 59601

My dear Governor Judge,

The Senate Finance and Claims Committee has voted unanimously in requesting that I convey the committee's concern pertaining to House Bill No. 155. The acting director of the Department of Administration informed the committee that the passage of this bill would require an additional appropriation of \$95,000. The committee felt that the bill does not merit such an appropriation and has asked that I respectfully ask that you consider a veto of the bill.

Sincerely yours,

C. R. Thiessen
Senator

MESSAGES FROM THE OTHER HOUSE

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill as amended, was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 619, introduced by Brand, Driscoll, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill as amended, was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 275, introduced by Fabrega, Williams, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on House Amendments to Senate Bill No. 13, and the President was authorized to appoint a Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Bill No. 13.

The President appointed the following members:

Senator Manning, Chairman
Senator Towe
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 27, and the President was authorized to appoint a New Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Amendments to House Bill No. 27.

The President appointed the following members:

Senator Lynch, Chairman
Senator Warden
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and dissolved the Conference Committee on Senate Amendments to House Bill No. 73, and the President was authorized to appoint a New Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 73.

The President appointed the following members:

Senator Norman, Chairman
Senator Greely
Senator Himsl

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on House Amendments to Senate Bill No. 86, and the President was authorized to appoint a Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Bill No. 86.

The President appointed the following members:

Senator Manning, Chairman
Senator Towe
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on House Amendments to Senate Bill No. 87, and the President was authorized to appoint a Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Bill No. 87.

The President appointed the following members:

Senator Manning, Chairman
Senator Towe
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 111.

The President appointed the following members:

Senator Lynch, Chairman
Senator Warden
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on Committee of the Whole failed to concur in the Conference Committee on House Amendments to Senate Bill No. 112, and the President was authorized to appoint a New Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 112.

The President appointed the following members:

Senator Lynch, Chairman
Senator Warden
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on Third Reading, April 4, 1975, failed to concur in the Conference Committee on House Amendments to Senate Bill No. 235, and the President was authorized to appoint a New Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 235.

The President appointed the following members:

Senator Foster, Chairman
Senator Jergeson
Senator Rosell

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the membership of the Conference Committee on Senate Amendments to House Bill No. 581, and the President appointed the following new membership:

Senator Jergeson, Chairman
Senator Manley
Senator Roskie

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

South moved that House Bill No. 712 be placed below House Bill No. 576 on the Second Reading board.

Motion carried.

Yardley moved that the Joint Conference Committee on Senate Amendments to House Bill No. 474 be dissolved and that the Speaker be authorized to appoint a new joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 474.

Motion carried.

Driscoll moved that the Conference Committees on Senate Bills Nos. 13, 86, and 87 be changed to Free Conference Committees.

Motion carried.

Driscoll moved that the rules be suspended so that Senate Joint Resolutions Nos. 32 and 33 may be allowed to be accepted by the House.

Motion carried unanimously.

Meloy moved that the rules be suspended so that unamended bills, Senate Amendments to House Bills and conference committee reports which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Richards in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 8, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 254 do pass. (55-38)

That House Bill No. 576 do pass. (78-18)

Ellerd excused at this time.

That House Bill No. 712 do pass. (76-20)

That the Committee rise and report and beg leave to sit again.

RICHARDS, Chairman

Report adopted.

MOTIONS

Driscoll moved that the rules be temporarily suspended and that House Bill No. 713 be placed on Second Reading this day at the top of the board.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint new joint conference committees of three to meet with like committees from the Senate to confer on House Amendments to Senate Bill No. 112 and Senate Bill No. 235.

Motion carried.

Driscoll moved that the Joint Conference Committees on House Bill No. 581 and House Bill No. 27 be dissolved and that the Speaker be authorized to appoint new joint conference committees of three to meet with like committees from the Senate to confer on Senate Amendments to House Bill No. 581 and House Bill No. 27.

Motion carried.

Driscoll moved that Senate Bill No. 31 be placed on Second Reading on the Seventy-seventh Legislative Day.

Motion carried.

Driscoll moved that the rules be temporarily suspended to allow the introduction of a bill amending the Collective Bargaining Act dealing with public employees.

Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Richards in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 8, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 713 be amended as follows:

1. Amend page 2, section 1, line 18.

Following: "location."

Insert: "When considering assignment of space under this act, the department shall insure that those departments with first priority are provided sufficient space for future growth, and that growth of first priority departments, for purposes of space assignment, takes precedence over growth of second and third priority departments." (64-2)

And as amended, do pass. (76-15)

That Senate Bill No. 220 be amended as follows:

1. Amend page 10, new section 5, lines 16 through 25 and lines 1 and 2, page 11.

Strike: new section 5 in its entirety.

Renumber: subsequent sections.

2. Amend page 11, new section 7, lines 10 through 12.

Strike: "This act which is effective on passage and approval is effective for taxable years ending on and after December 31, 1974."

Insert: "This act is effective for taxable years ending after December 31, 1976." (60-21)

And as amended, be not concurred in. (59-38)

That the Committee rise and report.

RICHARDS, Chairman

Report adopted.

COMMUNICATIONS AND PETITIONS

April 7, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
Capitol Post Office
Helena, Montana 59601

Dear Representative McKittrick:

I would very much appreciate it if you would call attention to the fact that all volumes of the Revised Codes and all other items on loan from this office to members or committees must be returned before the end of the Session.

Thank you.

Sincerely yours,

FRANK MURRAY
Secretary of State

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on Senate Bill No. 13: Halvorson, Chairman, Kemmis, and Fagg.

The Speaker appointed the following free joint conference committee

to meet with a like committee of the Senate to confer on Senate Bill No. 86: Halvorson, Chairman, Conroy, and Fagg.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on Senate Bill No. 87: Halvorson, Chairman, Kemmis, and Fagg.

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 474: Yardley, Chairman, Meloy, and Bertelsen.

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 235: Vincent, Chairman, Meloy, and Fagg.

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 581: Huennekens, Chairman, Meloy, and Ellison.

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 27: Scully, Chairman, Brand, and Lory.

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 112: Scully, Chairman, Brand, and Lory.

REPORTS OF STANDING COMMITTEES

April 8, 1975

I have examined House Bill No. 104 introduced by me and find the same to be correct.

JOHNSTON

April 8, 1975

I have examined House Bill No. 108 introduced by me and find the same to be correct.

KENDALL

April 8, 1975

I have examined House Bill No. 228 introduced by me and find the same to be correct.

JAMES MOORE

April 8, 1975

I have examined House Bill No. 274 introduced by me and find the same to be correct.

W. BAETH

April 8, 1975

I have examined House Bill No. 439 introduced by me and find the same to be correct.

RICHARDS

April 8, 1975

I have examined House Bill No. 460 introduced by me and find the same to be correct.

JAMES MOORE

April 8, 1975

I have examined House Bill No. 486 introduced by me and find the same to be correct.

BRAND

April 8, 1975

I have examined House Bill No. 538 introduced by me and find the same to be correct.

LIEN

April 8, 1975

I have examined House Bill No. 593 introduced by me and find the same to be correct.

FABREGA

April 8, 1975

I have examined House Bill No. 607 introduced by me and find the same to be correct.

MELOY

April 8, 1975

I have examined House Bill No. 615 introduced by me and find the same to be correct.

JAMES MOORE

April 8, 1975

I have examined House Joint Resolution No. 15 introduced by me and find the same to be correct.

BARDANOUE

April 8, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Bills Nos. 104, 108, 228, 274, 439, 460, 486, 538, 593, 607, 615, House Joint Resolution No. 15.

QUILICI, Chairman

April 8, 1975

The following bills and resolution will be signed on adjournment on April 8, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 104, 108, 228, 274, 439, 460, 486, 538, 593, 607, 615, House Joint Resolution No. 15.

Edwin A. Smith, Chief Clerk
House of Representatives

April 8, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be terminated by the House of Representatives for the Forty-fourth Session at the close of business April 5, 1975:

Susan Cerovski	Page
Beth Watkins	Page

John Eisenhauser	Page
Steve Wetstein	Page
Michael Lahr	Page
Kristen Walters	Page

At the beginning of business April 7, 1975, the following also be employed:

Martha Kubick	Page
Henry Myers	Page
Maureen Driscoll	Page
Greg Peterson	Page
Lance Newman	Page

At the close of business April 8, 1975, the following also be terminated:

Shauna Jo Kottas	Page
Lane Elbert	Page

LYNCH, Chairman

Report adopted.

April 8, 1975

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Joint Resolution No. 31, respectfully report as follows: That Senate Joint Resolution No. 31 be concurred in.

W. BAETH, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

April 8, 1975

Joint Conference Committee Report On Senate Amendments to House Bill No. 100

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 100, met April 8, 1975, and considered Senate Committee on Judiciary Amendments dated March 25, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1, 2, and 3,

And further that the Senate recede from Amendments Nos. 4, 5, and 6,

And further that House Bill No. 100, Third Reading bill, be amended as follows:

4. Amend page 3, section 2, subsection (2), following line 2.

Insert: a new subsection as follows and renumber the subsequent subsection:

"(3) All orders allowing full and final compromise settlements of workers' compensation claims shall be immediately referred to the workers' compensation judge, and the judge may within ten (10) days of the judge's receipt of an order disapprove an order allowing a full and final compromise settlement."

5. Amend page 3, section 2, present subsection (3), lines 3 and 4.
Following: "cases"

Strike: "[he has] heard,"

Insert: "in which a petition under subsection (1) of this section has been filed"

6. Amend page 3, section 2, present subsection (3), line 6.

Following: "awarded"

Insert: "or settlement agreements, except for any final settlement or award of compensation more than four (4) years after the settlement has been made and except for any order approving a full and final compromise settlement of compensation"

And further that the House accede to Amendments Nos. 7, 8, and 9,

And that House Bill No. 100, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE HOUSE:

McKITTRICK, Chairman
KIMBLE
ELLIS

FOR THE SENATE:

LEE, Chairman
TOWE

Report adopted.

April 7, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 264

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 264, met April 7, 1975, and considered:

House Committee of the Whole Amendment No. 1, dated March 25, 1975,

House Committee of the Whole Amendment No. 2, dated March 25, 1975, and

recommend as follows:

Having had under consideration House Committee of the Whole Amendment No. 1, dated March 25, 1975,

That the House recede from Amendment No. 1,

And further that Senate Bill No. 264, Third Reading bill, be amended as follows:

1. Amend page 4, section 3, line 25.

Following: "lessee"

Insert: ", provided that lease of lands, under this act, shall not be made for a consideration less than an amount equal to the taxes these lands would have levied upon them if they were private lands, and the proceeds of any such lease shall be apportioned on the current year's levy as provided under section 84-4195, R.C.M. 1947"

Having had under consideration House Committee of the Whole Amendment No. 2, dated March 25, 1975,

That the Senate accede to Amendment No. 1,

And that Senate Bill No. 264, as so amended, be concurred in.

FOR THE SENATE:

ROBERTS, Chairman

FOR THE HOUSE:

ROBBINS, Chairman

HEALY
ETCHART

KENDALL
MARKS

Report adopted.

April 8, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 177

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 177, met April 8, 1975, and considered Senate Committee on Local Government Amendments dated March 20, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 through 9,

And further that the Senate recede from Amendments Nos. 10 and 11,

And further that the House accede to Amendments Nos. 12 and 13,

And that House Bill No. 177, as so amended, be concurred in.

FOR THE HOUSE:

FOR THE SENATE:

GERKE, Chairman
SCULLY
ASHER

ROMNEY, Chairman
MURPHY
McCALLUM

Report adopted.

April 7, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 161

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 161, met April 4, 1975, and considered Senate Committee of the Whole Amendments dated March 25, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1 and 2,

And further that House Bill No. 161, Third Reading bill, be amended as follows:

2. Amend page 2, section 3, subsection (3), line 17 through page 3, line 6.

Following: "by the"

Strike: the remainder of subsection (3) in its entirety.

Insert: "state highway commission or by a city or county as requested or permitted by this section shall never in any one (1) fiscal year be less than three-quarters of one percent (0.75%) of the amount appropriated to the department of highways from the earmarked revenue fund for the construction program, maintenance program, preconstruction program."

And further that the House accede to Amendment No. 3,

And further that the Senate recede from Amendment No. 4,

And further that House Bill No. 161, Third Reading bill, be amended as follows:

4. Amend page 3, section 4, following line 22.

Insert: a new section that reads as follows:

"Section 5. License Fee. There is a license fee of one dollar (\$1) levied on each new bicycle, as defined in section 32-2102, purchased, by other than a bicycle dealer, in this state. This fee shall be collected by the bicycle dealer, upon the sale of a bicycle, and remitted monthly, in a manner prescribed by the state treasurer, to the highway commission earmarked revenue fund noted in section 3 of this act. These fees shall be used to augment state participation in matching federal funds transferred to this state for purposes of establishing footpaths and bikeways.

This fee is valid for a lifetime of the bicycle."

And that House Bill No. 161, as so amended, be concurred in.

FOR THE HOUSE:

KIMBLE, Chairman
BRADLEY
FAGG

FOR THE SENATE:

R. SMITH, Chairman
SEIBEL

Report adopted.

April 8, 1975

Free Joint Conference Committee Report
On Senate Amendments to House Bill No. 586

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 586, met April 8, 1975, and considered Senate Committee on Judiciary Amendment dated March 18, 1975, and recommend as follows:

That the Senate recede from Amendment No. 1,

Having further considered House Bill No. 586, the Free Joint Conference Committee further recommends:

That House Bill No. 586, Third Reading bill, be amended as follows:

1. Amend title, page 1, line 6.

Following: "of"

Strike: "marijuana"

Insert: "dangerous drugs"

2. Amend page 1, section 1, subsection (1), line 14.

Following: "sell"

Insert: "any dangerous drug as defined in this act or"

And that House Bill No. 586, as so amended, be concurred in.

FOR THE HOUSE:

HUENNEKENS, Chairman
MELOY
BABCOCK

FOR THE SENATE:

GREELY, Chairman
DRAKE
SEIBEL

Report adopted.

April 8, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 395

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 395, met April 8, 1975, and considered:

House Committee on Natural Resources Amendments dated March 20, 1975,

House Committee of the Whole Amendments dated March 28, 1975, and recommend as follows:

Having had under consideration House Committee on Natural Resources Amendments dated March 20, 1975,

That the House recede from Amendments Nos. 1 through 3,

Having had under consideration House Committee of the Whole Amendments dated March 28, 1975,

That the House recede from Amendment No. 1,

And that Senate Bill No. 395 be concurred in.

FOR THE SENATE:

ROBERTS, Chairman
GRAHAM
GALT

Report adopted.

FOR THE HOUSE:

FISHBAUGH, Chairman
DAY
J. ANDERSON

April 8, 1975

Joint Conference Committee Report No. 2
On House Amendments to Senate Bill No. 116

Mr. President and Speaker of the House:

We, your Joint Conference Committee met April 8, 1975, and considered:

House Committee on Local Government Amendments dated February 21, 1975,

House Committee of the Whole Amendments dated March 7, 1975, and recommend as follows:

Having had under consideration House Committee on Local Government Amendments dated February 21, 1975,

That the House recede from Amendment No. 1,

And further that Senate Bill No. 116, Third Reading bill, be amended as follows:

1. Amend page 6, section 1, lines 10 and 11.

Following: "in"

Strike: "the county, city, or town as set forth in section 16-2618(1) that has filed a request"

Insert: "a county having at least two such financial institutions. Such institutions may request"

Having had under consideration House Committee of the Whole Amendments dated March 7, 1975,

That the House recede from Amendment No. 1,

Having further considered Senate Bill No. 116, the Joint Conference Committee further recommends:

That Senate Bill No. 116, Third Reading bill, be amended as follows:

1. Amend page 6, section 1, line 12.

Following: "that"

Strike: "it"

Insert: "they"

2. Amend page 6, section 1, line 14.

Following: "government."

Insert: "In counties having less than two such institutions, the local governing body may solicit bids from, and deposit public moneys in, such institutions in neighboring counties unless the local financial institution agrees to pay the same rate of interest bid by the neighboring financial institutions."

And that Senate Bill No. 116, as so amended, be concurred in.

FOR THE SENATE:

GREELY, Chairman
WARDEN
MATHERS

FOR THE HOUSE:

SOUTH, Chairman
SCULLY
BERTELSEN

Report adopted.

April 5, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 512

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 512, met April 5, 1975, and considered:

Senate Committee on State Administration Amendments dated March 13, 1975,

Senate Committee of the Whole Amendments dated March 17, 1975, and

recommend as follows:

Having had under consideration Senate Committee on State Administration Amendments dated March 13, 1975,

That the House accede to Amendment No. 1,

And further that the Senate recede from Amendment No. 2,

And further that House Bill No. 512, Third Reading bill, be amended as follows:

2. Amend page 4, section 6, following line 7.

Insert: a new section to read as follows:

"Section 7. Grandfather clause. At any time within one (1) year after this act becomes effective, upon application therefor and payment of the application and certificate fee, the board shall issue a certificate of registration without oral or written examination to any practicing landscape architect of good character, who qualifies under the provisions of section 5 of this act, who shall submit under oath evidence satisfactory to the board that he was practicing landscape architecture at

the time this act became effective, and has had responsible charge of work of character satisfactory to the board.”

Renumber: subsequent sections.

Having had under consideration Senate Committee of the Whole Amendments dated March 17, 1975,

That the House accede to Amendments Nos. 1 through 10,

And that House Bill No. 512, as so amended, be concurred in.

FOR THE HOUSE:

KIMBLE, Chairman
BRADLEY
FAGG

FOR THE SENATE:

REGAN, Chairman
ROSKIE
MANLEY

Report adopted.

MESSAGES FROM THE GOVERNOR

April 7, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 86, 110, 303, 368, 416, 418, 447, 455, 463, 471, 518, 562, 563, 565, 676, 678 and 699.

Sincerely,

THOMAS L. JUDGE
Governor

April 7, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 309 and 356.

Sincerely,

THOMAS L. JUDGE
Governor

April 8, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 9, 13, 29, 95, 112, 144, 152, 290, 302, 340, 419, 571, 579 and 646.

Sincerely,

THOMAS L. JUDGE
Governor

April 7, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 14, 15, 26, 38, 48, 83, 103, 120, 122, 127, 148, 154, 196, 224, 238, 239, 304, 338, and 384.

Sincerely,

THOMAS L. JUDGE
Governor

April 7, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 104, 140, 179, 180, 189, 237, 279, 315, 331 and 372.

Sincerely,

THOMAS L. JUDGE
Governor

April 8, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 4, 23, 92, 97, 108, 161, 165, 173, 186, 210, 223, 243, 245, 255, 269, 306, 312, 318, 327, 339, 350, 360, 364, 371, 374, 385, and 387.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

April 7, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

House Amendments to Senate Bill No. 378 were this day concurred in by the Senate.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's Amendments to House Bill No. 623 were this day concurred in and are herewith returned to the House.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Third Reading, not concurred in as amended, and the said bill is herewith returned to the House:

House Bill No. 541, introduced by Gould, Federico, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 143, and the President was authorized to appoint a New Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 143.

The President appointed the following members:

Senator Romney, Chairman
Senator Flynn
Senator Olson

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 341.

The President appointed the following members:

Senator Manley, Chairman
Senator Watt
Senator Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 198.

The President appointed the following members:

Senator Healy, Chairman
Senator Conover
Senator Brown

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 684.

The President appointed the following members:

Senator Towe, Chairman
Senator Regan
Senator Nelson

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the rules be temporarily suspended and that House Bill No. 713 be placed on Third Reading this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolutions were introduced, read first time and referred to committee:

Senate Joint Resolution No. 32, introduced by Lynch, Story, Healy, Lee, Mehrens, Fasbender, Graham, Towe, Greely, Blaylock, Regan, Manning, Seibel, Manley, Norman, Colberg, Etchart, Warden, Himsl, Aber,

Jergeson, Foster, McCallum, Galt, Brown, Drake, Nelson, Rosell, Mathers, E. Smith, Dunkle, Goodover, Olson, Kolstad, Romney, Cetrone, Roberts, Thiessen, McOmber, R. Smith, Watt, Devine, Turnage, Flynn, Hazelbaker, Roskie, Murphy, Conover, Boylan, Stephens: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Anaconda Company to reconsider its actions to eliminate jobs in the state of Montana. Referred to Committee on Labor and Employment Relations.

Senate Joint Resolution No. 33, introduced by Story, Lynch, Lee, McCallum, Kolstad, Mathers, R. Smith, McOmber, Norman, Colberg: A Joint Resolution of the Senate and the House of Representatives of the state of Montana urging the Burlington Northern Railroad to reconsider its action reducing work forces in the state of Montana. Referred to Committee on Labor and Employment Relations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 254 was passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, Bardanouve, Barrett, Bengtson, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Kelly, Kemmis, Kendall, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, Asher, R. Baeth, W. Baeth, Bertelsen, Casey, Conroy, Ellerd, Ellison, Fabrega, Guthrie, Hageman, Hager, Halvorson, Helmbrecht, Jacobsen, Johnston, Kanduch, Kropp, Kummerfeldt, Kvaalen, Lockrem, Lund, Magone, Mercer, Jack Moore, Schye, Seifert, Sivertsen, Smith, Staigmiller, Underdal, Wood, Wyrick. Total 34.

Paired: Driscoll, Fagg, Federico, Kemmis, Ayes; Ellerd, Lockrem, Schye, Seifert, Nays.

Excused: Thomas. Total 1.

Absent or not voting: Kimble. Total 1.

House Bill No. 576, requiring 67 aye votes failed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Gwynn, Hageman, Helmbrecht, Hubing, Jacobsen, Kanduch, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, McFadden, Manuel, Marks, Meloy, Mercer, Jack Moore, Murphy, O'Connell, Rasmussen, Robbins, Schye, Shelden, Sloan, Smith, South, Staigmiller, Tropila, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 62.

Noes: Asher, Bradley, Brand, Dassinger, Dussault, Fagg, Gilligan, Hager, Halvorson, Harper, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kelly, Kemmis, Kimble, Luebeck, Lynch, Magone, Menahan, James Moore, Mular, Palmer, Quilici, Richards, Scully, Sivertsen, Stoltz, Teague, Travis, Underdal, Vincent. Total 34.

Paired: Ellerd, Schye, Ayes; Kimble, Lynch, Nays.

Excused: Federico, Seifert, Thomas. Total 3.

Absent or not voting: Guthrie. Total 1.

House Bill No. 712 was placed back on Second Reading.

House Bill No. 713 was placed back on Second Reading.

Driscoll moved that the House adjourn until 1:30 p.m., April 9, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 9, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Federico and Seifert, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventy-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

April 9, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on April 8, 1975: Senate Bills Nos. 1, 32, 91, 143, 295, House Bills Nos. 104, 108, 228, 274, 439, 460, 486, 538, 593, 607, 615, House Joint Resolution No. 15.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 3, 1975

Joint Conference Committee Report On House Amendments to Senate Bill No. 329

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 329, met April 3, 1975, and considered House Committee on State Administration Amendments dated March 15, 1975, and recommend as follows:

That the Senate accede to Amendments Nos. 1 and 2,

And further that the House recede from Amendment No. 3,

And further that the Senate accede to Amendments Nos. 4, 5, 6 and 8,

And further that the House recede from Amendment No. 7,

And further that Senate Bill No. 329, Third Reading bill, be amended as follows:

7. Amend page 2, section 1, subsection (c), lines 4 through 6.
Following: "1947,"

Strike: "a payment of twenty dollars (\$20) for each establishment that is licensed in the jurisdiction of that local board of health"

Insert: "an amount from any general fund appropriation to the department which is for the purpose of inspecting establishments licensed under this act"

And that Senate Bill No. 329, as so amended, be concurred in.

FOR THE HOUSE:

BRADLEY, Chairman
MERCER
HAGEMAN

FOR THE SENATE:

COLBERG, Chairman
GREELY
OLSON

Report adopted.

April 3, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 367

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 367, met April 3, 1975, and considered House Committee on State Administration Amendments dated March 15, 1975, and recommend as follows:

That the Senate accede to Amendments Nos. 1 and 2,

And further that the House recede from Amendments Nos. 3 and 4,

And further that the Senate accede to Amendments Nos. 5 and 6,

And further that the House recede from Amendment No. 7,

And further that Senate Bill No. 367, Third Reading bill, be amended as follows:

7. Amend page 1, section 1, subsection (3), line 25 through page 2, line 2.

Following: "1947,"

Strike: "a payment of twenty dollars (\$20) for each establishment that is licensed in the jurisdiction of that local board of health"

Insert: "an amount from any general fund appropriation to the department which is for the purpose of inspecting establishments licensed under this act"

And further that the House recede from Amendment No. 8,

And further that Senate Bill No. 367, Third Reading bill, be amended as follows:

8. Amend page 5, section 3, lines 21 through 23.

Following: "violation"

Strike: the remainder of section 3 in its entirety.

Insert: "of this act."

And that House Bill No. 367, as so amended, be concurred in.

FOR THE HOUSE:

BRADLEY, Chairman
MERCER
HAGEMAN

FOR THE SENATE:

COLBERG, Chairman
GREELY
OLSON

Report adopted.

April 4, 1975

Free Joint Conference Committee Report
On House Bill No. 613

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 613, met

April 4, 1975, and considered Senate Committee on Judiciary Amendments dated March 24, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 and 2,

And further that the Senate recede from Amendment No. 3,

And further that House Bill No. 613, Third Reading bill, be amended as follows:

3. Amend page 2, section 1, subsection (2), lines 1 through 7.

Strike: all the material in subsection (2) and renumber the subsequent subsection.

And further that the House accede to Amendments Nos. 4, 5, and 6,

Having further considered House Bill No. 613, the Free Joint Conference Committee further recommends:

That House Bill No. 613, Third Reading bill, be amended as follows:

7. Amend page 2, section 2, line 20.

Following: "and"

Strike: "may"

Insert: "shall"

And that House Bill No. 613, as so amended, be concurred in.

FOR THE HOUSE:

FOR THE SENATE:

PALMER, Chairman

TOWE, Chairman

DUSSAULT

SEIBEL

GOULD

DRAKE

Report adopted.

MESSAGES FROM THE GOVERNOR

April 9, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill No. 396, "An Act to implement Article II, Section 8 of the 1972 constitution by providing guidelines for citizen participation in the operations of government agencies", without my signature and recommend the attached amendments.

The amendments that I am presenting for your review will simply clarify the intent of the Legislature in defining what must be done to provide citizens with adequate notice of impending decisions of significant interest and what must be done to assist interested citizens to participate in the making of those decisions. For example, proposed amendment No. 1 specifies specific notice situations which shall be deemed sufficient to comply with the legislative mandate. The list of notice situations specified, however, is by no means exclusive. If none of the specific notice situations

listed have been complied with, the agency must utilize other methods of giving notice to interested persons before making decisions that are of significant interest to the public.

Amendment No. 1 also clearly provides that once notice has been given, agencies must provide reasonable methods of affording interested persons with the opportunity to submit comments or arguments, orally or in writing, prior to a final decision on a matter that is of significant interest to the public.

Proposed amendments Nos. 3, 4, and 5 simply clarify the enforcement section of House Bill No. 396. Many times it will not be possible for the agency to determine whose rights had been prejudiced. Therefore, rather than making a broad statement that no agency decision is valid against any person, my proposed amendments make it clear that the district courts can set aside an agency decision when a person whose rights have been prejudiced petitions the district court.

In addition, proposed amendment No. 5 shortens from ninety days to thirty days the time deadline within which an action must be filed challenging a decision made by an agency. This change is requested simply because of the uncertainty that a ninety day statute of limitation creates for a private party affected by a decision. For example, if an agency makes a decision to issue a permit to a particular company, I believe that it is unreasonable to expect that company to wait for ninety days to begin operating under the provisions of that permit. I believe that a thirty day period is sufficient time for a party to file an action which could result in the revocation of the issuance of a permit.

I ask for your concurrence in these amendments. I completely support the concept of permitting and encouraging citizens to participate in the decisions made by government. The amendments that I am offering, however, will give state and local government objective guidelines to follow in implementing Article II, Section 8, of Montana's Constitution.

Sincerely,

THOMAS L. JUDGE
Governor

April 9, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill No. 637, "An Act to amend the prisoner furlough program providing for supervision of prisoners by public and private supervising agencies, and placing responsibility for the program with the Department of Institutions by amending Sections 82-4202, 95-2217 through 95-2224, R.C.M. 1947", without my signature and recommend the attached amendments.

I am returning this bill at the request of its principal sponsor, Representative Polly Holmes, because of her concern for the meetings of the Board of Pardons when making final deliberations on a prisoner's application for furlough.

The bill in its present form requires an applicant's presence during the entire Board proceeding on his application. Obviously such a requirement would prevent candid and open discussion by the members of the Board of Pardons. For this reason, at the suggestion of Representative Holmes, I am offering this amendatory veto to allow for an executive session by the Board of Pardons in making the final determination on an application for furlough.

I ask for your favorable concurrence in this amendment.

Sincerely,

THOMAS L. JUDGE,
Governor

MESSAGES FROM THE OTHER HOUSE

April 8, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 709, introduced by Dussault

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Jim Moore moved that the conference committee on Senate Amendments to House Bill No. 633 be dissolved and that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 633.

Motion carried.

Jim Moore moved that the conference committee on Senate Amendments to House Bill No. 602 be dissolved and that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 602.

Motion carried.

Jim Moore moved that the House reconsider its action of the previous legislative day in failing to get the required 67 votes on House Bill No. 576 on Third Reading.

Motion carried.

Holmes moved that the Speaker be requested to divide House Bill No. 712 into its component parts and refer each line item to its appropriate committee and each committee be asked to determine how the money should be spent, and return their recommendations to the Appropriations Committee for their recommendation.

As a substitute motion, Richards moved that the leadership request the Committee on Priorities to study during the interim how to involve all committees in the appropriations and long-range building processes.

Motion carried.

Meloy moved that the Governor's Amendments to House Bill No. 396 be placed on Second Reading on the Seventy-eighth Legislative Day.

Motion carried.

Day moved that the Free Conference Committee on House Bill No. 349 be dissolved and that the Speaker be authorized to appoint a new free conference committee to meet with a like committee from the Senate on House Bill No. 349.

Motion carried.

Lockrem moved that the House reconsider its action on the previous legislative day in passing House Bill No. 254 on Third Reading.

Motion carried.

Meloy moved that all conference committee reports be placed below House Bill No. 713 on the Second Reading board.

Motion carried.

Meloy moved that the rules be suspended and that all unamended bills, Senate Amendments to House bills, and conference committee reports which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

Driscoll moved that House Bill No. 557 be taken from enrolling.

Motion carried.

Driscoll moved that the Conference Committee report on House Bill No. 557 be held on Second Reading until a new conference committee can be appointed.

Motion carried.

Holmes moved that the Governor's Amendments to House Bill No. 637 be placed on Second Reading this day.

Motion carried.

REPORTS OF STANDING COMMITTEES

April 9, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Joint Resolution No. 32, respectfully report as follows: That Senate Joint Resolution No. 32 be concurred in.

KIMBLE, Chairman

Report adopted.

April 9, 1975

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Joint Resolution No. 33, respectfully report as follows: That Senate Joint Resolution No. 33 be concurred in.

KIMBLE, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

House Bill No. 714, introduced by Driscoll: A bill for an act entitled: "An act amending Sections 59-1605 and 59-1606, R.C.M. 1947, relating to collective bargaining for public employees; and providing for coordinated bargaining." Referred to Committee on Labor and Employment Relations.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 576 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Asher, Brand, Dassinger, Ellerd, Fagg, Gilligan, Hager, Holmes, Johnston, Kelly, Kimble, Lynch, Palmer, Quilici, Travis, Underdal. Total 16.

Paired: Federico, Aye; Lynch, Nay.

Excused: Seifert. Total 1.

Absent or not voting: Day, Lester. Total 2.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Dussault in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 9, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 121 be not concurred in. (86-0)

That Senate Amendments to House Bill No. 164 be concurred in. (87-0)

That Senate Amendments to House Bill No. 197 be concurred in. (89-1)

That Senate Amendments to House Bill No. 488 be concurred in. (84-2)

That Senate Amendments to House Bill No. 528 be concurred in. (86-0)

That Senate Amendments to House Bill No. 622 be concurred in. (84-0)

That Senate Amendments to House Bill No. 642 be not concurred in. (73-5)

That Senate Amendments to House Bill No. 663 be not concurred in. (67-15)

That House Bill No. 712 and House Bill No. 713 be placed below the Conference Committee Report on Senate Bill No. 395.

That the Conference Committee Report on House Bill No. 100 be adopted. (83-0)

That the Conference Committee Report on House Bill No. 103 be passed for the day.

That the Conference Committee Report on House Bill No. 130 be adopted. (80-1)

That the Conference Committee Report on House Bill No. 143 be passed for the day.

That the Conference Committee Report on House Bill No. 154 be adopted. (79-1)

That the Conference Committee Report on House Bill No. 161 be adopted. (71-14)

That the Conference Committee Report on House Bill No. 177 be adopted. (89-0)

That the Conference Committee Report on House Bill No. 184 be adopted. (66-21)

That the Conference Committee Report on House Bill No. 512 be adopted. (82-2)

That the Conference Committee Report on House Bill No. 567 be adopted. (82-0)

That the Free Conference Committee Report on House Bill No. 586 be adopted. (80-2)

That the Conference Committee Report on Senate Bill No. 76 be not adopted. (51-38)

That the Conference Committee Report on Senate Bill No. 116 be adopted. (53-37)

That the Conference Committee Report on Senate Bill No. 192 be adopted. (50-45)

That the Conference Committee Report on Senate Bill No. 264 be passed for the day.

That the Conference Committee Report on Senate Bill No. 395 be adopted. (69-9)

Stoltz replaces Dussault in the Chair. Dussault resumes the Chair.

That House Bill No. 712 do pass. (75-21)

That House Bill No. 713 do pass. (86-9)

That Senate Bill No. 31 be amended as follows:

1. Amend page 1, section 1, lines 15 through 22.

Following: "office."

Strike: "Any business, bill, or resolution pending at adjournment of a session shall carry over with the same status to any other session of the legislature during the biennium. The legislature shall meet at least once a year in regular session of not more than 60 legislative days. Any legislature may increase the limit on the length of any subsequent session."

Insert: "The legislature shall meet a maximum of sixty (60) legislative days in odd number years and a maximum of sixty (60) legislative days in even number years. Any business, bill, or resolution pending at adjournment of the odd number year session shall carry over with the same status to any other session of the legislature during the biennium. Only appropriations, revenue and committee bills may be introduced during an even number year session." (77-22)

And be further amended:

2. Amend page 2, following line 4.

Insert: a new section 3 as follows:

"Section 3. This amendment is effective on January 1 immediately following ratification by the electors." (84-14)

And as amended, be concurred in. (70-29)

That the Committee rise and report.

DUSSAULT, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

April 9, 1975

I have examined House Bill No. 55 introduced by me and find the same to be correct.

GUNDERSON

April 9, 1975

I have examined House Bill No. 335 introduced by me and find the same to be correct.

KUMMERFELDT

April 9, 1975

I have examined House Bill No. 338 introduced by me and find the same to be correct.

J. ANDERSON

April 9, 1975

I have examined House Bill No. 469 introduced by me and find the same to be correct.

SHELDEN

April 9, 1975

I have examined House Bill No. 539 introduced by me and find the same to be correct.

KUMMERFELDT

April 9, 1975

I have examined House Bill No. 627 introduced by me and find the same to be correct.

CONROY

April 9, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 55, 335, 338, 469, 539, 627.

QUILICI, Chairman

April 9, 1975

The following bills will be signed on adjournment on April 9, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 55, 335, 338, 469, 539, 627.

Edwin A. Smith, Chief Clerk
House of Representatives

April 9, 1975

I have examined House Bill No. 621 introduced by me and find the same to be correct.

MELOY

April 9, 1975

I have examined House Bill No. 648 introduced by me and find the same to be correct.

LYNCH

April 9, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 621, 648.

QUILICI, Chairman

April 9, 1975

The following bills will be signed on adjournment on April 9, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 621, 648.

Edwin A. Smith, Chief Clerk
House of Representatives

April 9, 1975

I have examined House Bill No. 183 introduced by me and find the same to be correct.

JAMES MOORE

April 9, 1975

I have examined House Bill No. 367 introduced by me and find the same to be correct.

JACOBSEN

April 9, 1975

I have examined House Bill No. 597 introduced by me and find the same to be correct.

HALVORSON

April 9, 1975

I have examined House Bill No. 372 introduced by me and find the same to be correct.

YARDLEY

April 9, 1975

I have examined House Bill No. 400 introduced by me and find the same to be correct.

HARPER

April 9, 1975

I have examined House Bill No. 446 introduced by me and find the same to be correct.

MENAHAN

April 9, 1975

I have examined House Bill No. 461 introduced by me and find the same to be correct.

KIMBLE

April 9, 1975

I have examined House Bill No. 566 introduced by me and find the same to be correct.

GUNDERSON

April 9, 1975

I have examined House Bill No. 389 introduced by me and find the same to be correct.

SIVERTSEN

April 9, 1975

I have examined House Bill No. 650 introduced by me and find the same to be correct.

VINCENT

April 9, 1975

I have examined House Bill No. 666 introduced by me and find the same to be correct.

VINCENT

April 9, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 183, 367, 372, 389, 400, 446, 461, 566, 597, 650, 666.

QUILICI, Chairman

April 9, 1975

The following bills and resolution will be signed on adjournment on April 9, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 278, 340, Senate Joint Resolution No. 30, House Bills Nos. 183, 367, 372, 389, 400, 446, 461, 566, 597, 650, 666.

Edwin A. Smith, Chief Clerk
House of Representatives

April 9, 1975

The following bill was signed in the office of the Speaker of the House of Representatives on April 9, 1975: Senate Bill No. 291.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 3, 1975

Free Joint Conference Committee Report
On Senate Bill No. 330

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 330, met April 3, 1975, and considered House Committee on State Administration Amendments dated March 15, 1975, and recommend as follows:

That the Senate accede to Amendments Nos. 1 and 2,

And further that the House recede from Amendment No. 3,

And further that the Senate accede to Amendments Nos. 4, 5, and 6,

And further that the House recede from Amendment No. 7,

And further that Senate Bill No. 330, Third Reading bill, be amended as follows:

7. Amend page 2, section 1, lines 4 through 6.

Following: "69-4507,"

Strike: "a payment of twenty dollars (\$20) for each establishment that is licensed in the jurisdiction of that local board of health"

Insert: "an amount from any general fund appropriation to the department which is for the purpose of inspecting establishments licensed under this act"

And further that the House recede from Amendment No. 8,

And further that Senate Bill No. 330, Third Reading bill, be amended as follows:

8. Amend page 5, section 4, line 1 through line 10 on page 6.

Strike: sections 4 and 5 in their entirety.

Renumber: subsequent section.

And that Senate Bill No. 330, as so amended, be concurred in.

FOR THE SENATE:

COLBERG, Chairman
GREELY
OLSON

FOR THE HOUSE:

HAGEMAN, Chairman
BRADLEY
MERCER

Report adopted.

April 9, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 342

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 342, met April 9, 1975, and considered:

House Committee on Taxation Amendments dated March 24, 1975, and House Committee of the Whole Amendments dated March 26, 1975, and recommend as follows:

Having had under consideration House Committee on Taxation Amendments dated March 24, 1975,

That the Senate accede to Amendment No. 1,

Having had under consideration House Committee of the Whole Amendments dated March 26, 1975,

That the House recede from Amendments Nos. 1 and 2,

And that Senate Bill No. 342, as so amended, be concurred in.

FOR THE SENATE:

FASBENDER, Chairman
MATHERS

FOR THE HOUSE:

CONROY, Chairman
CASEY

Report adopted.

April 9, 1975

Free Joint Conference Committee Report
On House Bill No. 401

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 401, met April 9, 1975, and considered Senate Committee on Natural Resources and Fish and Game Amendments dated March 26, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 through 5, and 7 through 10,

And further that the Senate recede from Amendment No. 6,

And further that House Bill No. 401, Third Reading bill, be amended as follows:

6. Amend page 1, section 1, line 15.

Following: "members"

Strike: "to be as follows:"

Insert: ". The environmental quality council shall consist of four (4) members of the house of representatives who shall be appointed by the speaker of the house of representatives, with the advice of the majority and minority leaders of the house no more than two (2) of whom shall be of the same political party, and four (4) members of the state senate who shall be appointed by the committee on committees of the state senate, no more than two (2) of whom shall be of the same political party. Membership on the council shall be for two (2) years and terminates with appointment of a new council which appointment shall be made not later than the fiftieth legislative day of the legislative session following the biennium in which the appointment was made, whichever event occurs first. A new council shall be appointed no later than the fiftieth day of each succeeding legislative session. A vacancy on the council occurring when the legislative assembly is not in session shall

be filled by the selection of a member of the legislative assembly by the remaining members of the council."

Having further considered House Bill No. 401, the Free Joint Conference Committee further recommends:

That House Bill No. 401, reference bill, be amended as follows:

1. Amend title, page 1, line 9.

Following: "members;"

Strike: "and"

2. Amend title, page 1, line 10.

Following: "1947"

Insert: "; and providing an effective date"

3. Amend page 5, following line 10.

Insert: a new section as follows:

"Section 3. This act is effective on its passage and approval."

And that House Bill No. 401, as so amended, be concurred in.

FOR THE HOUSE:

FOR THE SENATE:

DAY
HAGER

FLYNN, Chairman
McCALLUM

Report adopted.

April 9, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 412

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 412, met April 5, 1975, and April 9, 1975, and considered:

Senate Committee on Judiciary Amendments dated March 20, 1975,

Senate Committee of the Whole Amendment dated March 25, 1975, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 20, 1975,

That the House accede to Amendments Nos. 1, 2, 3, 5, and 6,

And further that the Senate recede from Amendment No. 4,

And further that House Bill No. 412, Third Reading bill, be amended as follows:

4. Amend page 3, section 2, subsection (1) (e), line 14.

Following: "(e)"

Insert: "knowingly"

Having had under consideration Senate Committee of the Whole Amendment dated March 25, 1975,

That the House accede to Amendment No. 1,

And that House Bill No. 412, as so amended, be concurred in.

FOR THE HOUSE:

MELOY, Chairman
HALVORSON
RASMUSSEN

Report adopted.

FOR THE SENATE:

TOWE, Chairman
WARDEN
TURNAGE

April 9, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 393

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 393, met April 9, 1975, and considered Senate Committee on Judiciary Amendments dated March 17, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1 through 5 and 8,

And further that House Bill No. 393, Third Reading bill, be amended as follows:

8. Amend page 8, section 4, following line 22.

Insert: two new sections as follows and renumber subsequent sections:

"Section 5. There is a new R.C.M. section numbered 91A-3-1012 which reads as follows:

91A-3-1012. Final accounting to close estate. Before an estate may be finally closed and the personal representative relieved of his duties and obligations, he shall either file with the court or deliver to all interested persons an accounting under oath showing the amount of money received and expended by him, the amount of all claims presented against the estate and the names of the claimants and all other matters necessary to show the state of its affairs. Any interested person at any time during the course of the administration of an estate may for good cause shown require further accountings. If the personal representative is the sole beneficiary of the estate no accounting need be made.

Section 6. There is a new R.C.M. section that reads as follows:

Estate sales — inventory required — exception. Save upon an order of court obtained after notice and hearing in a supervised proceeding or formal probate, no property of the estate may be sold unless an inventory and statement of value has been delivered to the state department of revenue."

And further that the House accede to Amendments Nos. 6 and 7,

And that House Bill No. 393, as so amended, be concurred in.

FOR THE HOUSE:

JIM MOORE, Chairman
SCULLY
LORY

Report adopted.

FOR THE SENATE:

ROBERTS, Chairman
WARDEN
TURNAGE

April 9, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 599

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 599, met April

9, 1975, and considered Senate Committee on Local Government Amendments dated March 17, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 and 4 through 10,

And further that the Senate recede from Amendments Nos. 2 and 3,

And further that House Bill No. 599, Third Reading bill, be amended as follows:

2. Amend page 3, section 1, line 17.

Following: "voters"

Insert: "residing"

3. Amend page 7, section 2, subsection (5), line 3.

Following: "a"

Insert: "qualified elector owning real property"

And that House Bill No. 599, as so amended, be concurred in.

FOR THE HOUSE:

YARDLEY, Chairman

SCULLY

UNDERDAL

FOR THE SENATE:

ROBERTS, Chairman

STORY

ROMNEY

Report adopted.

MESSAGES FROM THE GOVERNOR

April 9, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 45, 77, 83, 93, 106, 125, 127, 140, 176, 179, 202, 217, 243, 266, 267, 305, 307, 324, 420, 436, 492, 493 and 533.

Sincerely,

THOMAS L. JUDGE
Governor

April 9, 1975

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 164 and 337.

Sincerely,

THOMAS L. JUDGE
Governor

April 9, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill No. 531, "An act to award costs and reasonable attorneys' fees to a plaintiff who brings a successful action under the right to know provisions of the Montana Constitution", without my signature and recommend the following amendment.

The amendment that I am proposing simply deletes the mandatory requirement that a district court award costs and reasonable attorneys' fees to a plaintiff who brings a successful right to know action and makes the authority to grant such costs and attorneys' fees discretionary. I am recommending this change for two reasons.

First, my proposed amendment will give the district courts the flexibility to deal with the two basic situations in which right to know suits will probably arise. In one instance a right to know suit will probably be filed in situations where a public official is required to make an on-the-spot judgment which is later declared to have been in error. I do not believe that in this situation the agency involved should be required to pay the costs and reasonable attorneys' fees of a successful plaintiff.

However, in situations where an agency willfully seeks to violate the provisions of the right to know provision of the Constitution and holds a meeting in secret or withholds public documents, the courts should have the authority to award costs and reasonable attorneys' fees to a successful plaintiff.

I believe that my proposed amendment is also justified because of the potential financial impact on state and local governments if the provisions of House Bill No. 531 were made mandatory. For example, a right to know action can be brought against not only state agencies, but against school boards, city councils, the Board of County Commissioners, airport authorities, or any other local government entity. Depending upon the complexity of the suit and depending upon whether the case is pursued all the way to the Montana Supreme Court, the awarding of costs and reasonable attorneys' fees could cost the governmental entity involved several thousand dollars. Because of this potential financial impact, I believe that the courts should be given sufficient flexibility to determine whether costs and reasonable attorneys' fees should be assessed based on the financial impact on the entity involved. I do not believe that state or local governments should be forced to raise taxes in order to pay the litigation costs associated with a right to know suit.

I thank you for your careful consideration of this amendatory veto.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 602, and the President was authorized to appoint a Free Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Bill No. 602.

The President appointed the following members:

Senator Towe, Chairman
Senator Regan
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report #2 on Senate Amendments to House Bill No. 154

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 567

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's recommended amendments to Senate Bill No. 251 were this day concurred in and are herewith transmitted to the House for concurrence.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 295, introduced by Lien, Sivertsen, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 327, introduced by Palmer, Jack Moore, Holmes

House Bill No. 334, introduced by Luebeck, Barrett, et al

House Bill No. 591, introduced by South, Jack Moore

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Huennekens moved that the Conference Committee on House Amendments to Senate Bill No. 76 be dissolved and that the Speaker be authorized to appoint a new conference committee of three to meet with a like committee from the Senate to confer on House Amendments to Senate Bill No. 76.

Motion carried.

Jacobsen moved that the Conference Committee on Senate Amendments to House Bill No. 103 be dissolved and that the Speaker be authorized to appoint a new conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 103.

Motion carried.

Fagg moved that we reconsider our action taken on House Bill No. 254 and that we rescind the reconsideration motion.

Motion carried.

Kemmis moved that the Conference Committee on Senate Amendments to House Bill No. 143 be dissolved and that the Speaker be authorized to appoint a new conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 143.

Motion carried.

Kemmis moved that the Speaker be authorized to appoint a free confer-

ence committee of three to meet with a like committee from the Senate to confer on House Bill No. 663.

Motion carried.

Driscoll moved that the Governor's Amendments to House Bill No. 637 be placed on Second Reading for consideration on the Seventy-eighth Legislative Day.

Motion carried.

Driscoll moved that the Conference Committee on House Bill No. 27, Senate Bill No. 112, House Bill No. 111, and Senate Bill No. 221 be dissolved and that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on these bills.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 642.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 712 passed by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Aageson, Asher, Brand, Ellerd, Ellison, Fagg, Johnston, Kimble, Lynch, James Moore, Mular, Palmer, Quilici, Sivertsen, Underdal. Total 15.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

House Bill No. 713 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell,

Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 89.

Noes: Asher, Brand, Fagg, Hager, Johnston, Palmer, Sivertsen, Underdal, Wyrick. Total 9.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

Senate Amendments to House Bill No. 164 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

Senate Amendments to House Bill No. 197 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Dassinger, Driscoll, Dussault, Ellerd, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Brand, Ellison, Harper, Jack Moore. Total 4.

Excused: Federico, Seifert. Total 2.

Absent or not voting: Conroy, Day, Ellis, Kropp. Total 4.

Senate Amendments to House Bill No. 488 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn,

Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Babcock, Ellison, Jack Moore. Total 3.

Excused: Federico, Seifert. Total 2.

Absent or not voting: Bengtson. Total 1.

Senate Amendments to House Bill No. 528 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 96.

Noes: Smith, Yardley. Total 2.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

Senate Amendments to House Bill No. 622 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 89.

Noes: Asher, Guthrie, Luebeck, Jack Moore, James Moore, Smith, Underdal, Wyrick, Yardley. Total 9.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

The Conference Committee Report on House Bill No. 100 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Federico, Seifert. Total 2.

Absent or not voting: Bertelsen. Total 1.

The Conference Committee Report on House Bill No. 130 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: None.

Excused: Federico, Seifert. Total 2.

Absent or not voting: Gilligan, Manuel. Total 2.

The Conference Committee Report on House Bill No. 154 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: Hageman. Total 1.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

The Conference Committee Report on House Bill No. 161 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: J. Anderson, Babcock, Bertelsen, Casey, Ellison, Guthrie, Hageman, Hubing, Jacobsen, Johnston, Kropp, Lien, Lockrem, Lund, Manuel, Mercer, Jack Moore, Sivertsen, Smith, Staigmilller, Underdal, Wood. Total 22.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

The Conference Committee Report on House Bill No. 177 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Federico, Seifert. Total 2.

Absent or not voting: Fagg. Total 1.

The Conference Committee Report on House Bill No. 184 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Robbins, Schye, Shelden, Sivertsen, Smith, South, Staigmilller,

Stoltz, Teague, Thomas, Tropila, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Bradley, Brand, Dussault, Finley, Harper, Holmes, Huennekens, Johnson, Kemmis, Luebeck, James Moore, Mular, Rasmussen, Richards, Scully, Sloan, Travis, Underdal, Vincent. Total 19.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

The Conference Committee Report on House Bill No. 512 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Staigmiller, Tropila. Total 2.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

The Free Conference Committee Report on House Bill No. 567 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: Hubing, Tropila. Total 2.

Excused: Federico, Seifert. Total 2.

Absent or not voting: Schye. Total 1.

The Free Conference Committee Report on House Bill No. 586 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould,

Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: Travis. Total 1.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

The Conference Committee Report on Senate Bill No. 116 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lory, Luebeck, Magone, Meloy, O'Connell, Palmer, Richards, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 52.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Brand, Casey, Conroy, Day, Ellerd, Ellison, Finley, Gould, Guthrie, Hager, Halvorson, Hubing, Jacobsen, Johnston, Kropp, Lien, Lockrem, Lund, Lynch, McFadden, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, Quilici, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, Staigmiller, Travis, Tropila, Wood, Wyrick. Total 47.

Paired: Gerke, Aye; Seifert, Nay.

Excused: Federico. Total 1.

Absent or not voting: None.

The Conference Committee Report on Senate Bill No. 192 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bradley, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Hageman, Harper, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Magone, Meloy, Menahan, Murphy, Palmer, Quilici, Richards, Schye, Shelden, South, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 51.

Noes: Aageson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Brand, Casey, Day, Ellerd, Ellison, Gould, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Hubing, Jacobsen, Kendall, Kropp, Kvaalen, Lien, Lockrem, Lund, Lynch, McFadden, Manuel, Marks, Mercer, Jack Moore, James Moore, Mular, O'Connell, Rasmussen, Robbins, Scully, Seifert, Sivertsen, Sloan, Smith, Staigmiller, Tropila, Underdal, Wood, Wyrick. Total 46.

Paired: Yardley, Aye; Seifert, Nay.

Excused: Federico. Total 1.

Absent or not voting: Conroy, Gerke. Total 2.

The Conference Committee Report on Senate Bill No. 395 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 85.

Noes: Bradley, Fabrega, Gould, Harper, Luebeck, Meloy, James Moore, Richards, Schye, Smith, Stoltz, Vincent, Wyrick. Total 13.

Excused: Federico, Seifert. Total 2.

Absent or not voting: None.

UNFINISHED BUSINESS

The Speaker appointed the following new free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 111: Jim Moore, Chairman, Scully, and Lory.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 27: Jim Moore, Chairman, Scully, and Lory.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on Senate Bill No. 221: Jim Moore, Chairman, Scully, and Lory.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on Senate Bill No. 112: Jim Moore, Chairman, Scully, and Lory.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 103: Jacobsen, Chairman, Gunderson, and Jack Moore.

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 143: Kemmis, Chairman, South, and Fagg.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 633: Jim Moore, Chairman, Lester, and C. R. Anderson.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 602: Holmes, Chairman, Jim Moore, and Lory.

The Speaker appointed the following new free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 349: Day, Chairman, Kemmis, and J. Anderson.

The Speaker appointed the following free joint conference committee

to meet with a like committee of the Senate to confer on House Bill No. 642: Halvorson, Chairman, Dassinger and Fagg.

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 663: Halvorson, Chairman, Conroy, and Fagg.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 121: R. Baeth, Chairman, Fagg, and Quilici.

MOTIONS

Driscoll moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 531.

Motion carried.

Meloy moved that the Governor's Amendments to House Bill No. 531 be placed on Second Reading on the Seventy-eighth Legislative Day.

Motion carried.

Driscoll moved that the House adjourn until 1:30 p.m., April 10, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 10, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Federico, Kimble, Robbins, and Seifert, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventy-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 76: Finley, Chairman, Jack Moore, and Rasmussen.

REPORTS OF STANDING COMMITTEES

April 10, 1975

The following bills and resolution will be signed on adjournment on April 10, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 57, 61, 93, 123, 233, 250, 252, 253, 268, 305, 308, 319, 352, 386, Senate Joint Resolution No. 22.

Edwin A. Smith, Chief Clerk
House of Representatives

April 10, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 9, 1975: House Bills Nos. 55, 335, 338, 469, 539, 621, 627, 648.

Edwin A. Smith, Chief Clerk
House of Representatives

April 10, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on April 9, 1975: Senate Bills Nos. 278, 340, Senate Joint Resolution No. 30, House Bills Nos. 183, 367, 372, 389, 400, 446, 461, 566, 597, 650, 666.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate this day failed to concur in House Amendments to Senate Bill No. 175, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 175.

The President appointed the following members:

Senator Manley, Chairman
Senator McOmber
Senator Brown

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on Committee of the Whole failed to concur in the Conference Committee on Senate Amendments to House Bill No. 103, and the President was authorized to appoint a New Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Amendments to House Bill No. 103.

The President appointed the following members:

Senator Boylan, Chairman
Senator Murphy
Senator Galt

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 633, and the President was authorized to appoint a Free Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Bill No. 633.

The President appointed the following members:

Senator Towe, Chairman
Senator Regan
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 405, introduced by Foster, Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 9, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 36, introduced by Teague, Lynch, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that consideration of the Governor's Amendments to House Bill No. 396 and House Bill No. 531 be passed for the day.

Motion carried.

Huennekens moved that the Conference Committee on House Bill No. 581 be dissolved and that the Speaker be authorized to appoint a new free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 581.

Motion carried.

Jack Moore moved that consideration of Senate Joint Resolution No. 31 be passed for the day.

Motion carried.

Mercer moved that the Conference Committee Report on Senate Bill No. 367 be placed below the Conference Committee Report on Senate Bill No. 330 on the Second Reading board.

Motion carried.

Barrett moved that the rules be temporarily suspended to allow the acceptance in the House of Senate Bill No. 405.

Motion carried by a two-thirds majority vote.

Driscoll moved that the Speaker be authorized to appoint a joint conference committee to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 557.

Motion carried.

Driscoll moved to expunge all actions in the House Journal on House Bills Nos. 218, 426, and 532, backdating through adoption of the Senate Amendments on Second Reading March 27, 1975, and place Senate

Amendments to House Bills Nos. 218, 426, and 532 on Second Reading this day.

Motion carried.

Driscoll moved that the Governor's Amendments to Senate Bill No. 251 be placed on Second Reading on the Seventy-ninth Legislative Day.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate on House Bill No. 581: Huennekens, Chairman, Meloy, and Ellison.

REPORTS OF SELECT COMMITTEES

April 8, 1975

Joint Conference Committee Report On House Amendments to Senate Bill No. 333

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 333 met April 8, 1975, and considered House Committee on Appropriations Amendments dated March 20, 1975, and recommend as follows:

That the Senate accede to Amendment No. 1,

And further that the House recede from Amendment No. 2,

And further that Senate Bill No. 333, Third Reading bill, be amended as follows:

2. Amend the bill, pages 1 through 4.

Strike: all of the bill following the enacting clause.

Insert: "Section 1. Title and purpose of act. This act may be cited as 'The Legislative Finance Act'. Because the legislature is responsible for appropriating public funds, it must provide for fiscal analysis of state government to accumulate, compile, analyze, and furnish such information bearing upon the financial matters of the state that is relevant to issues of policy and questions of statewide importance.

Section 2. Definitions. In this act:

(1) 'State agency' means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other administrative unit of state government that spends or encumbers public moneys by virtue of an appropriation from the legislature, or that handles money on behalf of the state, or that holds any trust or agency moneys from any source.

(2) 'Committee' means the legislative finance committee created by this act.

(3) 'Budget director' means the budget director appointed pursuant to section 79-1012, R.C.M. 1947.

Section 3. Legislative finance committee and office of legislative fiscal analyst created. There is created a legislative finance committee which shall be a permanent joint committee of the legislature. There is created the office of legislative fiscal analyst. The legislative fiscal analyst shall direct the office in carrying out the provisions of this act.

Section 4. Legislative finance committee — appointment and term of members — officers. The legislative finance committee consists of: (1) four (4) members of the senate finance and claims committee, appointed by the chairman; (2) two (2) members of the senate appointed, at large, by the committee on committees; (3) four (4) members of the house of representatives appropriation committee, appointed by the chairman; and (4) two (2) members of the house appointed, at large, by the speaker. These members shall be appointed before the end of the first regular session of the biennium. No more than three (3) members of each house, two (2) committee members and one (1) at large member, may be from the same political party.

A vacancy on the committee occurring when the legislature is not in session shall be filled by the selection of a member of the appropriate political party and appropriate committee as provided in this section by the remaining members of the committee to complete the unexpired term. Appointments are for two (2) years and a member of the committee shall serve until his term of office as a legislator ends or until his successor is appointed, whichever occurs first. The committee shall elect one of its members as chairman and such other officers as it considers necessary. Members of the committee shall be reimbursed for expenses and paid compensation as provided by law for interim standing committees.

Section 5. Powers and duties of the committee. The committee may: (1) Organize, adopt rules to govern its proceedings, and meet as often as necessary, upon the call of the chairman, to advise and consult with the legislative fiscal analyst;

(2) Employ the legislative fiscal analyst who shall serve at the pleasure of and be responsible to the committee, and the committee shall set his salary;

(3) Exercise the investigatory powers of a standing committee under Title 43, chapter 4, R.C.M. 1947.

Section 6. Legislative fiscal analyst's duties. The legislative fiscal analyst shall: (1) provide for fiscal analysis of state government and accumulate, compile, analyze, and furnish such information bearing upon the financial matters of the state that is relevant to issues of policy and questions of statewide importance, including, but not limited to, investigation and study of the possibilities of effecting economy and efficiency in state government;

(2) Estimate revenue from existing and proposed taxes;

(3) Analyze the executive budget and budget requests of selected state agencies and institutions, including proposals for the construction of capital improvements;

(4) Make the reports and recommendations he deems desirable to the legislature and make reports and recommendations as requested by the legislative finance committee and the legislature; and

(5) Assist committees of the legislature, and individual legislators, in compiling and analyzing financial information.

Section 7. Fiscal analysis information from state agencies. The legislative fiscal analyst has the authority to investigate and examine into the costs of state government activities and may examine the records, books, and files of any state agency, including confidential records of executive branch agencies. Every state agency shall furnish the legis-

lative fiscal analyst with copies of all budget requests, at the time of submission to the budget director as provided by law, and if requested, all underlying and supporting documentation. In the year preceding each legislative session, the budget director shall furnish the legislative fiscal analyst on a confidential basis:

- (1) by December 1, a copy of the documents which reflect the anticipated receipts and other means of financing the budget for each fiscal year of the ensuing biennium;
- (2) by December 1, a preliminary budget which shall meet the statutory requirements for submission of the budget to the legislature; and
- (3) by December 15, all amendments to the preliminary budget.

Section 8. Appointment of fiscal analysis employees and consultants. The legislative fiscal analyst may employ, fix the salaries and define the duties of such staff and consultants as may be necessary, within the limits of his appropriation.

Section 9. Funds transferred. Any unexpended funds appropriated by House Bill No. 1128, Session Laws of 1974, and funds appropriated to the 'Fiscal Analysis Program' in House Bill No. 286, Session Laws of 1975, are hereby transferred to the office of the legislative fiscal analyst to carry out the purposes of this act.

Section 10. Repealer. Sections 43-1101 through 43-1108, R.C.M. 1947, are repealed.

Section 11. Effective date. This act is effective on its passage and approval."

And that Senate Bill No. 333, as so amended, be concurred in.

FOR THE SENATE:

NORMAN, Chairman
HIMSL
LEE

FOR THE HOUSE:

BARDANOUE, Chairman
JACK MOORE

Report adopted.

MOTIONS

Meloy moved that the rules be suspended and that all unamended bills, Senate Amendments to House Bills, and Conference Committee reports which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

Meloy moved that the Conference Committee Report on Senate Bill No. 333 be placed on Second Reading for consideration this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

House Bill No. 715, introduced by Bardanoue, Lund: A bill for an act entitled: "An act to establish a nursing home location committee, define its duties, and the duties of the Department of Institutions in relation to the committee; provide an expiration date; and provide an immediate effective date." Referred to Committee on Appropriations.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Bradley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 10, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the following Governor's Amendments to House Bill No. 637 be concurred in:

1. Amend page 8, section 5, lines 21 through 25.

Strike: the material contained in lines 21 through 25 in its entirety.

Insert: "(b) an applicant may remain present during the board proceedings on his application, however, the board may meet in executive session without the applicant for final decision on the application;

(c) the board shall cause the applicant to be notified of its decision immediately and shall provide the applicant with a written decision including a thorough statement of the reasons for the decision within two days following adjournment;"

Renumber: subsequent subsections accordingly. (72-10)

That Senate Joint Resolution No. 32 be concurred in. (83-7)

That Senate Joint Resolution No. 33 be concurred in. (78-8)

That Senate Amendments to House Bill No. 295 be concurred in. (80-3)

That the Conference Committee Report on Senate Bill No. 333 be passed to the bottom of the board.

That the Conference Committee Report on House Bill No. 393 be adopted. (84-0)

That the Conference Committee Report on House Bill No. 401 be not adopted. (58-30)

That the Conference Committee Report on House Bill No. 412 be adopted. (80-0)

That the Conference Committee Report on House Bill No. 599 be adopted. (74-0)

That the Conference Committee Report on House Bill No. 613 be adopted. (63-6)

That the Conference Committee Report on Senate Bill No. 264 be adopted. (73-0)

That the Conference Committee Report on Senate Bill No. 329 be passed for the day.

That the Conference Committee Report on Senate Bill No. 330 be passed for the day.

That the Conference Committee Report on Senate Bill No. 367 be passed for the day.

Kimble present at this time.

That the Conference Committee Report on Senate Bill No. 342 be not adopted. (49-46)

That the Conference Committee Report on Senate Bill No. 333 be adopted. (82-1)

That Senate Amendments to House Bill No. 218 be not concurred in. (78-3)

That Senate Amendments to House Bill No. 426 be not concurred in. (86-0)

That Senate Amendments to House Bill No. 532 be not concurred in. (83-4)

That the Committee rise and report.

BRADLEY, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's recommended amendments to Senate Bill No. 135 were this day concurred in and are herewith transmitted to the House for concurrence.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 10, introduced by Yardley, Stoltz

House Bill No. 705, introduced by Day, Schye

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 177.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 512.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 100.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report No. 2 on House Amendments to Senate Bill No. 116.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the New Conference Committee on Senate Amendments to House Bill No. 73, and the President was authorized to appoint a New Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Amendments to House Bill No. 73.

The President appointed the following members:

Senator Norman, Chairman
Senator Lynch
Senator Stephens

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No. 264.

Respectfully yours,

John N. Hanson
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 405, introduced by Foster, Turnage: A bill for an act entitled: "An act authorizing a county to issue revenue bonds for the construction of a county hospital or nursing home; authorizing a levy on taxable property." Referred to Committee on Public Health, Welfare and Safety.

MOTIONS

Jack Moore moved that the Conference Committee on House Bill No. 73 be dissolved and that the Speaker be authorized to appoint a new joint conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 73.

Motion carried.

Conroy moved that the Speaker be authorized to appoint a new joint conference committee of three to meet with a like committee from the Senate to confer on House Amendments to Senate Bill No. 342.

Motion carried.

Menahan moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 218.

Motion carried.

Hager moved that the Conference Committee on House Bill No. 401 be dissolved and that the Speaker be authorized to appoint a new free joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 401.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint a joint confer-

ence committee of three to meet with a like committee from the Senate to confer on House Amendments to Senate Bill No. 175.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint free joint conference committees of three to meet with like committees from the Senate to confer on House Bill No. 426 and House Bill No. 532.

Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following new free joint conference committee to meet with a like committee of the Senate to confer on House Bill No. 401: Bradley, Chairman, Day, and Hager.

The Speaker appointed the following joint conference committee to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 175: Luebeck, Chairman, Bradley, and Barrett.

REPORTS OF SELECT COMMITTEES

April 9, 1975

Joint Conference Committee Report On Senate Amendments to House Bill No. 8

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 8, met April 4 and April 9, 1975, and considered Senate Committee on Judiciary Amendments dated March 18, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 through 10,

And further that the Senate recede from Amendment No. 11,

And further that House Bill No. 8, Third Reading bill, be amended as follows:

11 a. Amend page 7, section 14, subsection (1), line 14.

Following: "complaint"

Insert: "for redress of the violation"

11 b. Amend page 7, section 14, subsection (1), line 15.

Following: "rights"

Strike: the remainder of subsection (1) in its entirety.

Insert: "and upon filing that complaint may, in addition, petition the district court in the district where the complainant resides or where the alleged violation occurred for appropriate relief, and the court may grant such relief, by injunction or otherwise, as it considers appropriate. Commencement of the administrative remedy does not preclude the judicial remedy."

And that House Bill No. 8, as so amended, be concurred in.

FOR THE HOUSE:

STOLTZ, Chairman
MAGONE
ASHER

FOR THE SENATE:

SEIBEL, Chairman
MEHRENS
STEPHENS

Report adopted.

Driscoll moved that the House adjourn until 1:30 p.m., April 11, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 11, 1975

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asher, Hageman, Federico, Robbins, and Seifert, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventy-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

April 7, 1975

Pat McKittrick
Speaker of the House
State Capitol
Helena, Montana 59601

Dear Pat:

This refers to House Joint Resolution No. 61 calling for action to enable conveyance of the old territorial prison to the city of Deer Lodge.

I am not sure just what will have to be done to accomplish this goal, so I am asking the General Services Administration to research the problem and provide us with a report.

I shall keep you posted on what develops.

Best regards.

Sincerely,
John Melcher

The Speaker appointed the following second new conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 73: Finley, Chairman, Jack Moore, and Rasmussen.

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 218: Menahan, Chairman, Dussault, and Gould.

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 426: Kimble, Chairman, Harper, and Fabrega.

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 532: Johnston, Chairman, Mular, and Mercer.

The Speaker appointed the following new joint conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 557: Driscoll, Chairman, Kemmis, and Schye.

The Speaker appointed the following new joint conference committee of three to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 342: Williams, Chairman, Thomas, and Ageson.

REPORTS OF STANDING COMMITTEES

April 11, 1975

I have examined House Bill No. 113 introduced by me and find the same to be correct.

DASSINGER

April 11, 1975

I have examined House Bill No. 342 introduced by me and find the same to be correct.

GERKE

April 11, 1975

I have examined House Bill No. 427 introduced by me and find the same to be correct.

KIMBLE

April 11, 1975

I have examined House Bill No. 623 introduced by me and find the same to be correct.

FINLEY

April 11, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 113, 342, 427, 623.

QUILICI

April 11, 1975

The following bills will be signed on adjournment on April 11, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 113, 342, 427, 623.

Edwin A. Smith, Chief Clerk
House of Representatives

April 11, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on April 10, 1975: Senate Bills Nos. 57, 61, 93, 123, 233, 250, 252, 253, 268, 305, 308, 319, 352, 386, and Senate Joint Resolution No. 22.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 10, 1975

Free Joint Conference Committee Report On House Bill No. 602

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 602, met April 10, 1975, and considered:

Senate Committee on Judiciary Amendments dated March 25, 1975,
Senate Committee of the Whole Amendments dated March 28, 1975,
and
recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 25, 1975,

That the Senate recede from Amendments Nos. 1 through 3,

Having had under consideration Senate Committee of the Whole Amendments dated March 28, 1975,

That the Senate recede from Amendments Nos. 1 through 7,

Having further considered House Bill No. 602, the Free Joint Conference Committee further recommends:

That House Bill No. 602, Third Reading bill, be amended as follows:

1. Amend page 2, section 1, lines 1 through 7.

Following: "82A-108"

Strike: the remainder of the section in its entirety.

Insert: ", except that the commission may hire its own personnel, may seek and receive private and federal funds in its own name, and may determine all matters of policy concerning the use of its budget. Section 82A-108(2)(d) shall not apply for purposes of this section.

Section 2. Legislative intent. It is the intent of the legislature that the functions in the department of labor delineated in chapter 24 of Title 41, R.C.M. 1947, pertaining to the status of women, shall, where appropriate, be performed in close cooperation with the commission on human rights."

And that House Bill No. 602, as so amended, be concurred in.

FOR THE HOUSE:

HOLMES, Chairman
JIM MOORE
LORY

FOR THE SENATE:

TOWE, Chairman
REGAN

Report adopted.

April 8, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 227

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 227, met April 8, 1975, and considered:

House Committee on Public Health, Welfare and Safety Amendments dated March 17, 1975,

House Committee of the Whole Amendments dated March 27, 1975, and
recommend as follows:

Having had under consideration House Committee on Public Health, Welfare and Safety Amendments dated March 17, 1975,

That the House recede from Amendment No. 1,

And further that the House recede from Amendment No. 2,

And further that Senate Bill No. 227, Third Reading bill, be amended as follows:

2. Amend page 5, section 3, line 16.

Following: "to exceed"

Strike: "ten dollars (\$10)"

Insert: "fifteen dollars (\$15)"

And further that the Senate accede to Amendment No. 3,

Having had under consideration House Committee of the Whole Amendments dated March 27, 1975,

That the House recede from Amendment No. 1,

And further that the House recede from Amendment No. 2,

And further that Senate Bill No. 227, Third Reading bill, be amended as follows:

2. Amend page 5, section 2, lines 4 through 6.

Following: "department"

Strike: "to be accomplished within thirty (30) days after receiving the final plans and specifications"

Insert: "shall be as follows:

(a) The developer shall present to the department a preliminary plan of the proposed development and whatever information the developer feels necessary for its subsequent review. Within sixty (60) days of this submission, based upon its receipt by the department, the department shall notify the developer if the material submitted is satisfactory to determine if sanitary restrictions are necessary and if not what additional information is required for subsequent action by the department.

(b) If additional information is necessary to determine if sanitary restrictions are necessary no further processing will be made on the request until the missing information is made available to the department by the developer.

(c) The department must notify the developer within thirty (30) days if his submission of additional requested material is satisfactory. If the material is not satisfactory, the provision of subsection (b) shall apply.

(d) After the department has notified the developer that they have all the necessary information required for review, the department must give final action of the proposed plan within sixty (60) days, unless an environmental impact statement is required, at which time this deadline may be increased to one hundred twenty (120) days."

And that Senate Bill No. 227, as so amended, be concurred in.

FOR THE SENATE:

ROBERTS, Chairman
WARDEN
BROWN

FOR THE HOUSE:

DUSSAULT, Chairman
LESTER
ELLISON

Report adopted.

MESSAGES FROM THE GOVERNOR

April 10, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor this day to inform you that I have approved House Bills Nos. 70, 173, 195, 207, 299, 320, 354, 409, 434, 445, 451, 452, 472, 507, 545, 555, 561, 656, 671 and 691.

Sincerely,

THOMAS L. JUDGE
Governor

April 10, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 25, 96, 130, 134, 201, 217, 300 and 334.

Sincerely,

THOMAS L. JUDGE
Governor

April 10, 1975

Speaker Pat McKittrick
House of Representatives
State Capitol

President W. Gordon McOmber
Montana State Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill No. 435, "An act to require the owner of a mobile home to pay the property tax twice a year", without my signature and recommend the attached amendment.

House Bill No. 435 addresses a serious problem for many citizens in Montana. It allows mobile homeowners to pay their property taxes in two installments as do all other homeowners. The current method of payment requires the entire property tax to be paid within thirty days of receipt of the property tax bill. This is an unnecessary burden on those who live in mobile homes. The amendment that I am suggesting does not alter the two payment system established by House Bill No. 435.

The amendment merely insures that mobile homes are not removed from a county or from the state without full payment of taxes being made.

I feel the amendment is necessary to protect this revenue source for county, city and school districts in Montana.

I ask for your favorable concurrence in this amendment.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 264, introduced by Bardanouve, Manuel

House Bill No. 269, introduced by Bardanouve, Robbins

House Bill No. 285, introduced by Bardanouve, Jacobsen

House Bill No. 286, introduced by Bardanouve, Lynch

House Bill No. 700, introduced by Gwynn, Johnson

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 642.

The President appointed the following members:

Senator Manning, Chairman

Senator Towe

Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 663.

The President appointed the following members:

Senator Manning, Chairman

Senator Towe
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 581.

The President appointed the following members:

Senator Jergeson, Chairman
Senator Manley
Senator Roskie

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 349.

The President appointed the following members:

Senator Graham, Chairman
Senator Boylan
Senator Nelson

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a New Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 111.

The President appointed the following members:

Senator Lynch, Chairman
Senator Warden
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 121.

The President appointed the following members:

Senator Watt, Chairman
Senator Healy
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on Senate Bill No. 112.

The President appointed the following members:

Senator Lynch, Chairman
Senator Warden
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 27.

The President appointed the following members:

Senator Lynch, Chairman
Senator Warden
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on Senate Bill No. 221.

The President appointed the following members:

Senator Lynch, Chairman
Senator Warden
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 121.

The President appointed the following members:

Senator Watt, Chairman
Senator Healy
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 54, introduced by Marks, Gunderson

House Bill No. 60, introduced by Palmer, Johnson, et al

House Bill No. 265, introduced by Bardanouve

House Bill No. 289, introduced by Bardanouve, Gerke

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 53, introduced by Marks, Gunderson

House Bill No. 698, introduced by Quilici, Magone, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Menahan moved that consideration of Senate Joint Resolution No. 31 on Second Reading be passed for the day.

Motion carried.

Yardley moved that the House override the Governor's veto of House Bill No. 155.

Motion carried. (76-13)

Mercer moved that the House reject the Conference Committee Reports on Senate Bill No. 329, Senate Bill No. 330, and Senate Bill No. 367; that the conference committees be dissolved; and that the Speaker be authorized to appoint a new joint conference committee of the same three members to meet with a like committee of the Senate to confer on House Amendments to Senate Bills Nos. 329, 330, and 367.

Motion carried.

Kimble moved that the House write a letter in support of relocating the Indian Athletic Hall of Fame from Haskell, Kansas, to Helena, Montana.

Motion carried.

Conroy moved that the New Joint Conference Committee on House Amendments to Senate Bill No. 342 appointed this day be dissolved.

Motion carried.

Conroy moved that the House reconsider its action of the previous legislative day in failing to adopt the Conference Committee Report on House Amendments to Senate Bill No. 342 and that the Conference Committee Report be placed on Second Reading this day.

Motion carried.

Driscoll moved that the Governor's Amendments to Senate Bill No. 135 be placed on Second Reading for consideration on the Eightieth Legislative Day.

Motion carried.

Driscoll moved that all conference committee reports placed on the desks this day be placed on Second Reading this day.

Motion carried.

Driscoll moved that all business which passes on Second Reading amended or unamended this day be placed on Third Reading this day.

Motion carried.

Driscoll moved that the Conference Committee on Senate Bill No. 76 be dissolved and that the Speaker be authorized to appoint a new joint conference committee of three to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 76.

Motion carried.

Driscoll moved that the Governor's Amendments to House Bill No. 435 be placed on Second Reading for consideration on the Eightieth Legislative Day.

Motion carried.

Meloy moved that consideration of the Governor's Amendments to House Bill No. 396 be passed this Legislative Day.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new joint conference committee of three to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 367: Bradley, Chairperson, Mercer, and Hageman.

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on Senate Bill No. 330: Bradley, Chairperson, Mercer, and Hageman.

The Speaker appointed the following new joint conference committee of three to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 329: Bradley, Chairperson, Mercer, and Hageman.

REPORTS OF SELECT COMMITTEES

April 10, 1975

Free Joint Conference Committee Report
On House Bill No. 581

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 581, met April 8, April 9 and April 10, 1975, and considered:

Senate Committee on Natural Resources and Fish and Game Amendments dated March 25, 1975,

Senate Committee of the Whole Amendments, undated, and
recommend as follows:

Having had under consideration Senate Committee on Natural Resources and Fish and Game Amendments dated March 25, 1975,

That the House accede to Amendments Nos. 1 through 13, 15, 16, 18 and 19,

And further that the Senate recede from Amendments Nos. 14 and 17,

And further that House Bill No. 581, Third Reading bill, be amended as follows:

14. Amend page 18, section 7, lines 6 through 11.

Following: "[receipt.]"

Strike: lines 6 through 11 in their entirety.

Insert: "Upon receipt of the department's report submitted under subsection (1) of this section, the board shall set a date for a hearing to begin not more than one hundred twenty (120) days after the receipt."

17. Amend page 25, section 11, lines 8 through 10.

Following: "board"

Strike: ", after a public hearing held under the contested case procedures of the Montana Administrative Procedure Act,"

Insert: "at a public hearing"

Having had under consideration Senate Committee of the Whole Amendments, undated,

That the House accede to Amendments Nos. 1, 2, 3 and 5,

And further that the Senate recede from Amendments Nos. 4 and 6.

Having further considered House Bill No. 581, the Free Joint Conference Committee further recommends:

That House Bill No. 581, reference bill, be amended as follows:

1. Amend page 23, section 10, subsection (1)(h), line 9.

Following: "state"

Strike: "and federal"

2. Amend page 29, section 14, subsection (1)(b), line 2.

Following: "of"

Strike: "energy producing"

Insert: "utility"

And that House Bill No. 581, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE HOUSE:

HUENNEKENS, Chairman

MELOY

ELLISON

FOR THE SENATE:

JERGESON, Chairman

ROSKIE

MANLEY

Report adopted.

MESSAGES FROM THE GOVERNOR

April 11, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I hereby veto House Bill No. 517, "An act providing for the licensing and regulation of home health agencies in Montana by the Department of Health and Environmental Sciences; providing a definition of home health agency; providing a fee for home health agencies."

Basically, my veto is being exercised because of the adverse financial impact that enactment of House Bill No. 517 would have on the non-profit public and private home health care agencies. Currently, profit home health care agencies cannot qualify for Medicare or Medicaid payments if they are not licensed by the State. The licensing procedure established by House Bill No. 517 could result in substantial loss of Medicare and Medicaid patients by non-profit agencies that are already experiencing

severe financial problems. I believe that the financial stability of the many non-profit home health care agencies who provide services to thousands of low income and charitable patients in Montana should be protected and preserved.

I thank you for your consideration of this veto.

Sincerely,

THOMAS L. JUDGE
Governor

April 11, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill No. 569, "An act to require prior to issuance of a strip mining permit, the written consent of the owner of the surface estate overlying the mineral estate to be mined when such owner does not own the mineral estate; and amending Section 50-1036, R.C.M. 1947" without my signature and recommend the following amendment.

In exercising this amendatory veto, I must emphasize that I am in basic agreement with the principles set forth in House Bill No. 569. However, House Bill No. 569 in its present form would have a deleterious effect on the school trust fund. As Governor, and as a member of the Board of Land Commissioners, I am obligated to protect the public school fund and guarantee it against loss or diversion.

House Bill No. 569 would amend the Strip Mining and Reclamation Act to require that prior to strip mining operations, the mineral estate owner must secure the written consent or waiver of the surface owner. The bill does not apply to mineral estates owned by the federal government in fee or held in trust for an Indian tribe but is applicable to state school trust lands.

Under Montana law, when the state sells the surface of school grant lands, it reserves the minerals and the right to use the surface to recover the minerals subject to compensation for damage to the surface. The state has leased several sections of school trust lands for the purpose of mining and disposing of the coal located beneath the surface of those lands. Those mineral leases represent binding contracts between the State of Montana and the leaseholder and authorize the lessee to enter upon the surface to extract the mineral. Rentals, including bonus bids, have been paid in good faith by the lessees under the assumption that the State of Montana was properly exercising its patent reservation and leasing authority, subject of course, to compensation to the surface owner for damages incurred by him as a result of the exploration or mining. House Bill No. 569 would impose an additional condition which must be met by the mineral lessee — a condition which was not contemplated at the time that the State of Montana and the mineral lessee entered into their contract.

House Bill No. 569 contains no provisions which would require the surface owner to give his consent to the strip mining of the surface. By

requiring the surface owner's consent under such conditions as the surface owner may provide, House Bill No. 569 could substantially reduce the revenue to the school trust fund. The bill has the effect of putting the surface owner in a superior legal position and enables him to either prohibit the extraction of the state owned minerals or to allow the extraction upon his terms. Since the state would no longer possess or control the access to the minerals, it would essentially no longer possess and control the minerals.

State school lands were granted to Montana under the terms of the Enabling Act and the federal government as grantor established the terms under which the lands were granted. Section 11 of the Enabling Act prohibits any estate or interest in the lands from being disposed of unless full market value of the estate or interest is paid to the state. Montana's Constitution reflects those provisions in Article X, Section 11 which also requires full market value be obtained for any estate or interest disposed of. By allowing the surface purchaser to prohibit or adversely restrict the extraction of minerals, the state has in effect "disposed" of the minerals without receiving full compensation to the trust. The authority granted to the surface owner in House Bill No. 569 is so broad that the surface owner could demand a percentage or an overriding interest in the production of the minerals. School lands were granted in trust for the support of the common schools and only the true beneficiaries of the trust can benefit from it.

Finally, and most importantly, House Bill No. 569 could result in the forfeiture of state lands, both mineral and surface. The 1889 Enabling Act which granted the state its common school lands exempted those lands known to be mineral in character and allowed the state to select other lands (in lieu). A 1927 Act of Congress (43 USCA Sec. 870) removed that restriction and granted Montana the in-place sections 16 and 36, even though mineral in character. However, a condition was attached to that grant which reads as follows: "The additional grant made by this section is upon the express condition that all sales, grants, deeds or patents for any of the lands so granted shall hereafter be subject to and contain a reservation to the state of all the coal and other minerals in the land so sold, granted, deeded or patented together with the right to prospect for, mine and remove the same..." (emphasis added). That section further provides that any lands or minerals disposed of contrary to the provisions of that section shall be forfeited to the United States.

The addition of the surface owner consent provisions of House Bill No. 569 appears clearly contrary to the terms of the grant, and could result in forfeiture of state school trust lands to the federal government. As Governor and as a member of the Board of Land Commissioners, that result is unacceptable. I have prepared an amendment to House Bill No. 569 that would exempt from the provisions of the bill those lands held in trust by the State of Montana. The amendment will not interfere with the basic purpose of the bill. House Bill No. 569 will still be applicable to the vast majority of lands in Montana. It will also be consistent with my administration's position on similar legislation pending before the United States Congress.

I request your concurrence in this amendment.

Sincerely,

THOMAS L. JUDGE
Governor

April 11, 1975

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor, I return Senate Bill No. 278, "An act providing for a Pork Research and Marketing Committee to promote effective research in production and marketing of swine; and providing for a ten cent (10¢) per head check-off of all swine sold in Montana" without my signature and recommend the following amendments.

Basically, the amendments that I am proposing will make the Pork Research and Marketing Act consistent with the provisions of the Executive Reorganization Act and good drafting principles.

To begin with, many of the amendments that I am proposing will simply delete the word "administrative" from the provisions of Senate Bill No. 278. It is not necessary to refer to the Pork Research and Marketing Committee as an administrative committee.

Second, Senate Bill No. 278 fails to codify the functions to be performed by the Pork Research and Marketing Committee within the chapter of the Executive Reorganization Act dealing with the Department of Livestock. My proposed amendment No. 4 will accomplish this and guarantee that the committee is properly codified in Chapter 13 of Title 82A.

Proposed amendments Nos. 28 and 30 provide that the assessments made under Senate Bill No. 278 shall be deposited in the federal and private revenue fund rather than in an earmarked revenue fund. This change is consistent with a recommendation made by the legislative auditor and the Executive Reorganization Act.

Many of my other proposed amendments simply combine certain provisions of Senate Bill No. 278 and eliminate other unnecessary provisions. For example, Section 2 of the enrolled bill is not needed. Section 4 dealing with the appointment and composition of the Committee adequately covers the subject. Furthermore, the provisions of Section 2 as they pertain to hiring staff are not needed because the Committee will be attached to the Department of Livestock for administrative purposes only and the Department will be charged with providing the Committee with an appropriate staff.

In closing, I wish to emphasize that I endorse the creation of a Pork Research and Marketing Committee. However, I believe that the amendments that I have offered will improve the legislation and make it consistent with the provisions of the Executive Reorganization Act. I ask your concurrence in these amendments.

Sincerely,

THOMAS L. JUDGE
Governor

House recessed.

House resumed. Mr. Speaker in the Chair.

Asher present at this time.

REPORTS OF SELECT COMMITTEES

April 10, 1975

Joint Conference Committee Report On Senate Amendments to House Bill No. 198

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 198, met April 10, 1975, and considered Senate Committee on Taxation Amendments dated March 29, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1 through 6,

And further that House Bill No. 198, Third Reading bill, be amended as follows:

1. Amend page 1, section 1, line 20.

Following: "[(\$.09)]"

Strike: "ten cents (\$.10)"

Insert: "nine and three quarters cents (\$.09 $\frac{3}{4}$)"

2. Amend page 1, section 1, lines 23 and 24.

Following: "[(\$.07)]"

Strike: "eight cents (\$.08)"

Insert: "seven and three quarters cents (\$.07 $\frac{3}{4}$)"

3. Amend page 2, section 2, lines 20 and 21.

Following: "[(\$3,000,000)]"

Strike: "Six million dollars (\$6,000,000)"

Insert: "Six million five hundred thousand dollars (\$6,500,000)"

4. Amend page 3, section 2, lines 3 and 4.

Following: "[(\$1,200,000)]"

Strike: "Two million four hundred thousand dollars (\$2,400,000)"

Insert: "Two million nine hundred fifty thousand dollars (\$2,950,000)"

5. Amend page 3, section 3, lines 20 and 21.

Following: "[(\$1,800,000)]"

Strike: "Three million six hundred thousand dollars (\$3,600,000)"

Insert: "Three million five hundred fifty thousand dollars (\$3,550,000)"

6. Amend page 6, section 3, line 3.

Following: "[(\$7 ϕ)]"

Strike: "eight cents (8 ϕ)"

Insert: "seven and three quarters cents (\$.07 $\frac{3}{4}$)"

And that House Bill No. 198, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE HOUSE:

SOUTH, Chairman
BENGTSON
FAGG

FOR THE SENATE:

HEALY, Chairman
CONOVER
BROWN

Report adopted.

April 7, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 516

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 516, met April 7, 1975, and considered Senate Committee on Education Amendments dated March 20, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1 through 32,

And further that House Bill No. 516, Third Reading bill, be amended as follows:

1. Amend page 2, section 1, lines 1 and 2.

Following: "[(\$9,365.02)]"

Strike: "eight thousand seven hundred sixty-one dollars and fifty cents (\$8,761.50)"

Insert: "eight thousand six hundred thirteen dollars (\$8,613)"

2. Amend page 2, section 1, lines 8 and 9.

Following: "[(\$9,365.02)]"

Strike: "eight thousand seven hundred sixty-one dollars and fifty cents (\$8,761.50)"

Insert: "eight thousand six hundred thirteen dollars (\$8,613)"

3. Amend page 2, section 1, lines 11 and 12.

Following: "[(\$391.38)]"

Strike: "three hundred eighty-two dollars and fifty cents (\$382.50)"

Insert: "three hundred sixty dollars (\$360)"

4. Amend page 2, section 1, lines 19 and 20.

Following: "[(\$12,887.44)]"

Strike: "twelve thousand one hundred ninety-six dollars (\$12,196)"

Insert: "eleven thousand eight hundred fifty-three dollars (\$11,853)"

5. Amend page 2, section 1, lines 22 and 23.

Following: "[(\$391.38)]"

Strike: "four hundred seventy dollars and fifty cents (\$470.50)"

Insert: "three hundred sixty dollars (\$360)"

6. Amend page 3, section 1, lines 5 and 6.

Following: "[(\$20,575.74)]"

Strike: "nineteen thousand four hundred ninety-six dollars (\$19,496)"

Insert: "eighteen thousand nine hundred twenty-four dollars (\$18,924)"

7. Amend page 3, section 1, lines 8 and 9.

Following: "[(\$245.11)]"

Strike: "three hundred fifty-eight dollars and fifty cents (\$358.50)"

Insert: "two hundred twenty-five dollars and forty cents (\$225.40)"

8. Amend page 3, section 1, lines 18 and 19.

Following: "[(\$909.32)]"

Strike: "seven hundred forty-eight dollars and fifty cents (\$748.50)"

Insert: "eight hundred thirty-six dollars and thirty cents (\$836.30)"

9. Amend page 3, section 1, lines 20 and 21.

Following: "[(\$.43)]"

Strike: "eighty-eight cents (\$.88)"

Insert: "eighty-one cents (\$.81)"

10. Amend page 4, section 1, lines 1 and 2.

Following: "[(\$856.28)]"

Strike: "seven hundred twenty-two dollars and fifty cents (\$722.50)"

Insert: "seven hundred eighty-seven dollars and sixty cents (\$787.60)"

11. Amend page 4, section 1, line 4.

Following: "[(\$81)]"

Strike: "fifty-one cents (\$.51)"

Insert: "seventy-four cents (\$.74)"

12. Amend page 4, section 1, lines 10 and 11.

Following: "[(\$694.89)]"

Strike: "six hundred nineteen dollars and fifty cents (\$619.50)"

Insert: "six hundred thirty-nine dollars and ten cents (\$639.10)"

13. Amend page 4, section 1, lines 23 and 24.

Following: "[(\$53,334.20)]"

Strike: "forty thousand eight hundred and twenty-two dollars (\$40,822)"

Insert: "forty-nine thousand fifty-one dollars (\$49,051)"

14. Amend page 5, section 1, lines 4 and 5.

Following: "[(\$2,222.26)]"

Strike: "one thousand seven hundred dollars and seventy-five cents (\$1,700.75)"

Insert: "two thousand forty-four dollars (\$2,044)"

15. Amend page 5, section 1, lines 7 and 8.

Following: "[(\$12.12)]"

Strike: "nine dollars seventy-five cents (\$9.75)"

Insert: "eleven dollars and fifteen cents (\$11.15)"

16. Amend page 5, section 1, lines 13 and 14.

Following: "[(\$2,028.33)]"

Strike: "one thousand five hundred forty-four dollars and seventy-five cents (\$1,544.75)"

Insert: "one thousand eight hundred sixty-five dollars (\$1,865.00)"

17. Amend page 5, section 1, lines 16 and 17.

Following: "[(\$12.12)]"

Strike: "six dollars sixty cents (\$6.60)"

Insert: "eleven dollars and fifteen cents (\$11.15)"

18. Amend page 5, section 1, lines 22 and 23.

Following: "[(\$1,301.00)]"

Strike: "one thousand one hundred forty-seven dollars and seventy-five cents (\$1,147.75)"

Insert: "one thousand one hundred ninety-seven dollars (\$1,197)"

19. Amend page 5, section 1, line 25.

Following: "[(\$2.03)]"

Strike: "two dollars fifteen cents (\$2.15)"

Insert: "one dollar eighty-six cents (\$1.86)"

20. Amend page 6, section 1, lines 6 and 7.

Following: "[(\$1,098.31)]"

Strike: "nine hundred thirty-two dollars and seventy-five cents (\$932.75)"

Insert: "one thousand ten dollars (\$1010)"

21. Amend page 6, section 1, lines 8 and 9.

Following: "[(\$1.11)]"

Strike: "forty-nine cents (\$.49)"

Insert: "one dollar and two cents (\$1.02)"

22. Amend page 6, section 1, lines 14 and 15.

Following: "[((\$986.86))]"

Strike: "eight hundred eighty-four dollars and seventy-five cents (\$884.75)"

Insert: "nine hundred seven dollars and sixty cents (\$907.60)"

23. Amend page 6, section 1, lines 16 and 17.

Following: "[(.20)]"

Strike: "thirteen cents (\$.13)"

Insert: "nineteen cents (\$.19)"

24. Amend page 6, section 1, lines 21 and 22.

Following: "[((\$925.37))]"

Strike: "eight hundred forty-six dollars and seventy-five cents (\$846.75)"

Insert: "eight hundred fifty-one dollars and ten cents (\$851.10)"

25. Amend page 7, section 1, lines 14 and 15.

Following: "[((\$10,346))]"

Strike: "nine thousand four hundred fifty-four dollars and fifty cents (\$9,454.50)"

Insert: "nine thousand seven hundred seven dollars (\$9,707)"

26. Amend page 7, section 1, lines 22 and 23.

Following: "[((\$10,346))]"

Strike: "nine thousand four hundred fifty-four dollars and fifty cents (\$9,454.50)"

Insert: "nine thousand seven hundred seven dollars (\$9,707)"

27. Amend page 8, section 1, lines 1 and 2.

Following: "[((\$32.40))]"

Strike: "four hundred fifty-nine dollars and fifty cents (\$459.50)"

Insert: "four hundred five dollars and seventy cents (\$405.70)"

28. Amend page 8, section 1, lines 10 and 11.

Following: "[((\$14,238))]"

Strike: "thirteen thousand five hundred eighty-two dollars (\$13,582)"

Insert: "thirteen thousand three hundred fifty-eight dollars (\$13,358)"

29. Amend page 8, section 1, lines 14 and 15.

Following: "[((\$432.40))]"

Strike: "five hundred forty-seven dollars and fifty cents (\$547.50)"

Insert: "four hundred five dollars and seventy cents (\$405.70)"

30. Amend page 8, section 1, lines 23 and 24.

Following: "[((\$22,732))]"

Strike: "twenty thousand eight hundred eighty-two dollars (\$20,882)"

Insert: "twenty-one thousand three hundred twenty-six dollars (\$21,326)"

31. Amend page 9, section 1, lines 2 and 3.

Following: "[((\$270.80))]"

Strike: "four hundred thirty-five dollars and fifty cents (\$435.50)"

Insert: "two hundred fifty-four dollars and ten cents (\$254.10)"

32. Amend page 9, section 1, lines 13 and 14.

Following: "[((\$1,004.60))]"

Strike: "eight hundred twenty-five dollars and fifty cents (\$825.50)"

Insert: "nine hundred forty-two dollars and fifty cents (\$942.50)"

And further that the House accede to Amendment No. 33,

And further that the Senate recede from Amendments Nos. 34 through 46,

And further that House Bill No. 516, Third Reading bill, be amended as follows:

34. Amend page 9, section 1, lines 23 and 24.

Following: "[(\$946)]"

Strike: "seven hundred ninety-nine dollars and fifty cents (\$799.50)"

Insert: "eight hundred eighty-seven dollars and fifty cents (\$887.50)"

35. Amend page 10, section 1, line 1.

Following: "[(\$89)]"

Strike: "fifty-one cents (\$.51)"

Insert: "eighty-four cents (\$.84)"

36. Amend page 10, section 1, lines 7 and 8.

Following: "[(\$767.70)]"

Strike: "six hundred ninety-six dollars and fifty cents (\$696.50)"

Insert: "seven hundred twenty dollars and twenty cents (\$720.20)"

37. Amend page 10, section 1, lines 23 and 24.

Following: "[(\$58,939)]"

Strike: "forty-three thousand two hundred ninety-four dollars (\$43,294)"

Insert: "fifty-five thousand two hundred ninety-three dollars (\$55,293)"

38. Amend page 11, section 1, lines 5 and 6.

Following: "[(\$2,456)]"

Strike: "one thousand eight hundred three dollars and seventy-five cents (\$1,803.75)"

Insert: "two thousand three hundred four dollars (\$2,304)"

39. Amend page 11, section 1, line 9.

Following: "[(\$13.40)]"

Strike: "nine dollars seventy-five cents (\$9.75)"

Insert: "twelve dollars fifty-seven cents (\$12.57)"

40. Amend page 11, section 1, lines 16 through 18.

Following: "[(\$2,241.50)]"

Strike: "one thousand six hundred forty-seven dollars and seventy-five cents (\$1,647.75)"

Insert: "two thousand one hundred three dollars (\$2,103)"

41. Amend page 11, section 1, lines 20 and 21.

Following: "[(\$13.40)]"

Strike: "six dollars and sixty cents (\$6.60)"

Insert: "twelve dollars and fifty-seven cents (\$12.57)"

42. Amend page 12, section 1, lines 2 through 4.

Following: "[(\$1,438)]"

Strike: "one thousand two hundred fifty dollars and seventy-five cents (\$1,250.75)"

Insert: "one thousand three hundred forty-nine dollars (\$1,349)"

43. Amend page 12, section 1, lines 6 and 7.

Following: "[(\$2.25)]"

Strike: "two dollars and fifteen cents (\$2.15)"

Insert: "two dollars and ten cents (\$2.10)"

44. Amend page 12, section 1, lines 13 and 14.

Following: "[(\$1,214)]"

Strike: "one thousand thirty-five dollars and seventy-five cents (\$1,035.75)"

Insert: "one thousand one hundred thirty-nine dollars (\$1,139)"

45. Amend page 12, section 1, line 17.

Following: "[(\$1.25)]"

Strike: "forty-nine cents (\$.49)"

Insert: "one dollar and fifteen cents (\$1.15)"

46. Amend page 12, section 1, lines 23 and 24.

Following: "[(\$1,090.50)]"

Strike: "nine hundred eighty-seven dollars and seventy-five cents (\$987.75)"

Insert: "one thousand twenty-three dollars (\$1,023)"

And further that the House accede to Amendment No. 47,

And further that the Senate recede from Amendment No. 48,

And further that House Bill No. 516, Third Reading bill, be amended as follows:

48. Amend page 13, section 1, lines 8 and 9.

Following: "[(\$1,022.60)]"

Strike: "nine hundred forty-nine dollars and seventy-five cents (\$949.75)"

Insert: "nine hundred fifty-nine dollars and forty cents (\$959.40)"

And that House Bill No. 516, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE HOUSE:

GUNDERSON, Chairman

YARDLEY

KVAALEN

FOR THE SENATE:

BLAYLOCK, Chairman

FASBENDER

MATHERS

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 11, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the following Governor's Amendments to House Bill No. 531 be concurred in:

1. Amend page 1, section 1, line 14.

Following: "constitution"

Strike: "shall"

Insert: "may" (74-1)

That the Governor's Amendments to Senate Bill No. 251 be passed for the day.

That Senate Amendments to House Bill No. 10 be concurred in. (81-0)

That Senate Amendments to House Bill No. 705 be concurred in. (77-1)

Lockrem replaces Marks in the Chair.

That Senate Amendments to House Bill No. 54 be concurred in. (81-0)

Marks resumes the Chair.

That Senate Amendments to House Bill No. 60 be concurred in. (69-6)

That Senate Amendments to House Bill No. 265 be not concurred in. (79-1)

That Senate Amendments to House Bill No. 289 be not concurred in. (71-0)

That Senate Amendments to House Bill No. 264 be not concurred in. (78-2)

That Senate Amendments to House Bill No. 269 be not concurred in. (77-1)

That Senate Amendments to House Bill No. 285 be not concurred in. (81-8)

That Senate Amendments to House Bill No. 286 be not concurred in. (86-0)

That Senate Amendments to House Bill No. 700 be concurred in. (75-6)

That the Conference Committee Report on House Bill No. 8 be adopted. (70-0)

That the Conference Committee Report on House Bill No. 581 be adopted. (69-9)

That the Committee rise and report.

MARKS, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

April 11, 1975

The following bills will be signed on adjournment on April 11, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 124, 246, 265, 316.

Edwin A. Smith, Chief Clerk
House of Representatives

UNFINISHED BUSINESS

The Speaker appointed the following second new joint conference committee of three to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 76: Huennekens, Chairman, Jim Moore, and Lory.

MESSAGES FROM THE OTHER HOUSE

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on House Bill No. 557.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Graham
Senator Aber

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 426.

The President appointed the following members:

Senator Regan, Chairman
Senator Towe
Senator Rosell

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a New Conference Committee to meet with a like committee of the House to confer on House Amendments to Senate Bill No. 76.

The President appointed the following members:

Senator Roberts, Chairman
Senator Healy
Senator Brown

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No.
227

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No. 395

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 8

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 393

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 412

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 581

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 599

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 602

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 613

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 218.

The President appointed the following members:

Senator Greely, Chairman
Senator Murphy
Senator Story

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 161, and the President was authorized to appoint a New Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Amendments to House Bill No. 161.

The President appointed the following members:

Senator R. Smith, Chairman
Senator Graham
Senator Rosell

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Thomas moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 269.

Motion carried.

Gerke moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 289.

Motion carried.

Jacobsen moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 285.

Motion carried.

Manuel moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 264.

Motion carried.

Lynch moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 286.

Motion carried.

Driscoll moved that the House adjourn until 12:00 p.m., April 12, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTIETH LEGISLATIVE DAY

Helena, Montana
April 12, 1975

House Chambers
Capitol Building

House convened at 12:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Kimble, Fleming, Ellison, Shelden, Babcock, Hageman, Harper, Lien, Robbins, Seifert, Federico and Travis, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventy-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 289: Gerke, Chairman, Fishbaugh and Lund.

The Speaker appointed the following free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 285: Jacobsen, Chairman, Gunderson, and Jack Moore.

The Speaker appointed the following free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 264: Manuel, Chairman, Wolfe and Ellis.

The Speaker appointed the following free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 286: Lynch, Chairman, Gerke and Wood.

REPORTS OF STANDING COMMITTEES

April 12, 1975

I have examined House Bill No. 334 introduced by me and find the same to be correct.

LUEBECK

April 12, 1975

I have examined House Bill No. 370 introduced by me and find the same to be correct.

MELOY

April 12, 1975

I have examined House Bill No. 567 introduced by me and find the same to be correct.

JAMES MOORE

April 12, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 334, 370, 567.

QUILICI, Chairman

April 12, 1975

The following bills will be signed on adjournment on April 12, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 334, 370, 567.

Edwin A. Smith, Chief Clerk
House of Representatives

April 12, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 11, 1975: House Bills Nos. 113, 342, 427, 623, Senate Bills Nos. 124, 246, 265, 316.

Edwin A. Smith, Chief Clerk
House of Representatives

April 12, 1975

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 405, respectfully report as follows: That Senate Bill No. 405 be concurred in.

MENAHAN, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 406, introduced by Thiessen

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read three several times, and concurred in, title and history agreed to, and the said Joint Resolution is herewith returned to the House:

House Joint Resolution No. 67, introduced by McKittrick, Lockrem, Kimble

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 11, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 114, introduced by Dassinger, Lien, et al

House Bill No. 271, introduced by Bardanouve, Jacobsen

House Bill No. 672, introduced by Fagg, Fabrega et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 10, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No. 333

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Barrett moved that Senate Bill No. 405 be placed on Second Reading for consideration this day.

Motion carried.

Driscoll moved that the Conference Committee on Senate Amendments to House Bill No. 161 be dissolved and that the Speaker be authorized to appoint a new conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 161.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 265.

Motion carried.

Driscoll moved that the rules be suspended to allow the acceptance of Senate Bill No. 406.

Motion carried unanimously.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

House Resolution No. 6, introduced by Lynch, McKittrick: A resolution

of the House of Representatives of the state of Montana authorizing certain legislative officers and employees to complete the business of the regular session of the Forty-fourth Legislature, and to provide compensation for employees to prepare any business of any special session of the Forty-fourth Legislature and to prepare the business of the Forty-fifth Legislature. Referred to Committee on Legislative Administration.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 269: Robbins, Chairman, Thomas, and Marks.

The Speaker appointed the following new joint conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 161: Johnson, Chairman, Scully, and Ellis.

The Speaker appointed the following joint conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 265: South, Chairman, Thomas, and Mercer.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Kemmis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 12, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Governor's Amendments to House Bill No. 396 be passed to the bottom of the board.

That the following Governor's Amendments to House Bill No. 435 be concurred in:

1. Amend page 3, section 1, line 23.

Following: line 23

Insert: "No mobile home movement permit provided in section 84-6606 may be issued unless both semiannual installments have been paid to the county treasurer." (73-4)

That the following Governor's Amendments to Senate Bill No. 135 be concurred in:

1. Amend page 1, title, lines 5, 6 and 7.

Following: "R.C.M. 1947,"

Strike: "to provide for publication and mailing of notice of proposed rules at least thirty days prior to the agency's intended action;"

2. Amend page 1, title, line 7.

Following: "to provide"

Strike: "twenty (20)"

Insert: "fourteen (14)"

3. Amend page 2, section 1, line 3.

Following: "mailed at least"

Strike: "thirty (30)"

Insert: "twenty (20)"

4. Amend page 2, section 1, lines 8 and 9.

Following: "less than"

Strike: "thirty (30)"

Insert: "twenty (20)"

5. Amend page 2, section 1, line 11.

Following: line 10

Strike: "twenty (20)"

Insert: "fourteen (14)"

6. Amend page 3, section 1, line 8.

Following: "fewer than"

Strike: "thirty (30)"

Insert: "twenty (20)" (77-3)

That the Governor's Amendments to Senate Bill No. 251 be passed to the bottom of the board.

That Senate Joint Resolution No. 31 be concurred in. (74-5)

That Senate Amendments to House Bill No. 114 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 271 be not concurred in. (66-14)

That Senate Amendments to House Bill No. 672 be not concurred in. (73-0)

Harper present at this time.

That the Conference Committee Report on House Bill No. 198 be adopted. (75-4)

That the Committee rise and report and beg leave to sit again.

KEMMIS, Chairman

Report adopted.

SPECIAL ORDERS OF THE DAY

The Speaker appointed the following committee to escort the Honorable Lee Metcalf, United States Senator to the rostrum: Driscoll, Lockrem and Lynch.

Senator Metcalf was introduced to the members of the assembly by the Speaker, and then briefly addressed the House.

The committee escorted the Senator from the Chambers.

REPORTS OF STANDING COMMITTEES

April 12, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 715, respectfully report as follows: That House Bill No. 715 be amended in the introduced bill as follows:

1. Amend page 2, section 2, subsection (2) (a), line 9.

Following: "(1)"

Strike: "professional"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

MOTIONS

Meloy moved that all unamended bills and resolutions, Senate Amendments to House Bills, and Conference Committee Reports which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

Driscoll moved that House Bill No. 712 be placed on Second Reading this day.

Motion carried.

Fagg moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 672.

Motion carried.

Jacobsen moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 271.

As a substitute motion, Johnson moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 271.

Motion failed.

Thereupon, the original motion carried.

Driscoll moved that the Governor's Amendments to House Bill No. 569 be placed on Second Reading on the Eighty-first Legislative Day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 406, introduced by Thiessen: A bill for an act entitled: "An act to amend the 1975 bond validating act; providing an immediate effective date." Referred to Committee on Judiciary.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Kemmis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 12, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Ellerd and Kropp excused at this time.

That the Conference Committee Report on House Bill No. 516 be adopted. (57-24)

That the Free Conference Committee Report on House Bill No. 602 be adopted. (62-14)

That the Conference Committee Report on Senate Bill No. 227 be adopted. (69-8)

That the Conference Committee Report on Senate Bill No. 342 be adopted. (52-44)

That Senate Bill No. 405 be concurred in. (74-1)

That the following Governor's Amendments to House Bill No. 396 be concurred in:

1. Amend page 2, section 3, line 19.

Following: "(1)"

Strike: all of the language and punctuation through the end of line 9 on page 3.

Insert: "Each agency shall develop procedures for permitting and encouraging the public to participate in agency decisions that are of significant interest to the public. The procedures shall assure adequate notice and assist public participation before a final decision is made on the adoption of a rule or policy, awarding a contract, granting or denying a permit, license or change of rate that is of significant interest to the public.

(2) An agency shall be deemed to have complied with the notice provisions of this act if:

(a) an environmental impact statement is prepared and distributed as required by the Montana Environmental Policy Act, Title 69, chapter 65;

(b) a proceeding is held as required by the Montana Administrative Procedure Act, Title 82, chapter 42;

(c) a public hearing, after appropriate notice is given, is held pursuant to any other provision of state law or a local ordinance or resolution; or

(d) a newspaper of general circulation within the area to be affected by a decision of significant interest to the public has carried a news story or advertisement concerning the decision prior to a final decision on a matter.

(3) Procedures for assisting public participation shall include a method of affording interested persons reasonable opportunity to submit data, views or arguments, orally or in written form, prior to making a final decision that is of significant interest to the public.

(4) The provisions of this act do not apply to:

(a) an agency decision that must be made to deal with an emergency situation affecting the public health, welfare or safety;

(b) an agency decision that must be made to maintain or protect the interests of the agency, including but not limited to the filing of a lawsuit in a court of law or becoming a party to an administrative proceeding; or

(c) a decision involving no more than a ministerial act."

2. Amend page 3, section 3, line 10.

Following: line 9

Strike: "(2)"

Insert: "(5)"

3. Amend page 3, section 4, line 17.

Following: "Enforcement."

Strike: all of the language through the word and punctuation "act." on line 20

4. Amend page 3, section 4, line 22.

Following: line 21

Strike: "the aggrieved party"

Insert: "any person whose rights have been prejudiced"

5. Amend page 3, section 4, line 22.

Following: "within"

Strike: "ninety (90)"

Insert: "thirty (30)" (64-14)

That the following Governor's Amendments to Senate Bill No. 251 be concurred in:

1. Amend the title, line 7.

Following: "patrol,"

Insert: "and updating archaic provisions"

2. Amend page 1, section 1, line 17.

Strike: "board"

Insert: "division of motor vehicles, department of justice"

3. Amend page 1, section 1, lines 19 and 20.

Strike: "the board may deem"

4. Amend page 2, section 1, line 1.

Strike: "board"

Insert: "division"

5. Amend page 2, section 1, line 12.

Strike: "highway patrol board"

Insert: "division"

6. Amend page 2, section 1, line 16.

Strike: "Montana highway patrol board"

Insert: "division"

7. Amend page 2, section 1, line 17.

Strike: "Montana highway patrol board"

Insert: "division"

8. Amend page 2, section 1, line 24.

Strike: "board"

Insert: "division"

9. Amend page 3, section 1, lines 2 through 4.

Following: "patrolman." on line 2

Strike: "These salaries shall be increased one percent (1%) per year for each additional year of service."

10. Amend page 3, section 1, lines 18 and 19.

Strike: "highway patrol board"

Insert: "division"

11. Amend page 3, section 1, line 25.
Strike: "highway patrol board"
Insert: "division"
12. Amend page 5, section 1, line 11.
Strike: "board"
Insert: "division"
13. Amend page 5, section 1, line 22.
Strike: "highway patrol board"
Insert: "division"
14. Amend page 6, section 1, line 1.
Strike: "highway patrol board"
Insert: "division"
15. Amend page 6, section 1, line 6.
Strike: "highway patrol board"
Insert: "division"
16. Amend page 6, section 1, line 7.
Strike: "board:"
Insert: "division"
17. Amend page 6, section 1, line 15.
Strike: "Montana highway patrol board"
Insert: "division"
18. Amend page 7, section 1, line 12.
Strike: "highway patrol board"
Insert: "division"
19. Amend page 7, section 1, line 15.
Strike: "highway patrol board"
Insert: "division"
20. Amend page 8, section 1, line 1.
Strike: "highway patrol board"
Insert: "division"
21. Amend page 8, section 1, line 6.
Strike: "highway patrol board"
Insert: "division"
22. Amend page 8, section 1, line 10.
Strike: "highway patrol board"
Insert: "division"
23. Amend page 8, section 1, line 12.
Strike: "board"
Insert: "division"
24. Amend page 8, section 1, lines 20 and 21.
Strike: "highway patrol board"
Insert: "division"
25. Amend page 9, section 1, lines 1 and 2.
Strike: "highway patrol board"
Insert: "division"
26. Amend page 9, section 1, line 4.
Strike: "highway patrol board"
Insert: "division" (71-2)

That the Senate Amendments to House Bill No. 114 be concurred in. (75-0)

That House Bill No. 715 do pass. (73-3)

That the Committee rise and report.

KEMMIS, Chairman

Report adopted.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following joint conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 271: Jacobsen, Chairman, Lynch and Jack Moore.

The Speaker appointed the following free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 672: Kemmis, Chairman, Lien, and Fagg.

REPORTS OF STANDING COMMITTEES

April 12, 1975

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be employed by the House of Representatives for the 44th session at the beginning of business April 7, 1975:

Donna Hahka.....	Page
Stephen Hess.....	Page

At the beginning of business April 9, 1975, the following also be employed:

Steven Marks.....	Page
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LYNCH, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

April 11, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 236

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 236 met April 10, and 11, 1975, and considered:

House Committee of the Whole Amendments dated March 28, 1975, and recommend as follows:

That the Senate accede to Amendments Nos. 1 through 7,

And further that the House recede from Amendment No. 8,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

8. Amend page 3, section 1, line 22.

Following: “(\$4)”

Insert: “for the license year beginning May 1, 1976, and six dollars (\$6) for each license year thereafter”

And further that the House recede from Amendments Nos. 9 and 10,

And further that the Senate accede to Amendments Nos. 11 through 15,

And further that the House recede from Amendment No. 16,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

16. Amend page 7, section 1, line 21.

Following: line 21

Insert: "(12) B-10 nonresident big game combination license. Any person not a resident as defined in section 26-202.3, but who is twelve (12) years of age or older may, upon payment of the proper fee or fees and subject to the limitations prescribed by law and commission regulation, be entitled to apply to the fish and game office, Helena, Montana, to purchase a B-10 nonresident big game combination license for two hundred fifteen dollars (\$215) which shall entitle the holder to all the privileges of a B-2 nonresident combination license, a deer A tag, and elk tag and a black bear license. This license includes the nonresident conservation license as prescribed in section 26-230."

And further that the Senate accede to Amendments Nos. 17 through 28,

And further that the House recede from Amendment No. 29,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

29. Amend page 3, section 1, line 23.

Following: "[(\$7)]"

Strike: "ten dollars (\$10)"

Insert: "eight dollars (\$8)"

And further that the House recede from Amendment No. 30,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

30. Amend page 3, section 1, line 24.

Following: "[(\$3)]"

Strike: "ten dollars (\$10)"

Insert: "seven dollars (\$7) for the license year beginning May 1, 1976, and eight dollars (\$8) each license year thereafter"

And further that the House recede from Amendments Nos. 31, 32 and 33,

And further that the House recede from Amendment No. 34,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

34. Amend page 11, section 1, line 14.

Following: "[(18,000)]"

Strike: "sixteen thousand (16,000)"

Insert: "seventeen thousand (17,000)"

And that Senate Bill No. 236, as amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:

NORMAN, Chairman
FLYNN
DUNKLE

FOR THE HOUSE

HUENNEKENS, Chairman
MANUEL
GOULD

Report adopted.

MESSAGES FROM THE GOVERNOR

April 12, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 245, 282, 332, 424, 480, 486, 519, 583 and 647.

Sincerely,

THOMAS L. JUDGE
Governor

April 12, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 1, 32, 91, 143, 291, 295 and 340.

Sincerely,

THOMAS L. JUDGE
Governor

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 31 was concurred in by the following vote:

Ayes: Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 70.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Bertelsen, Casey, Conroy, Ellerd, Ellison, Gould, Guthrie, Hager, Hubing, Johnston, Kelly, Kropp, Kvaalen, Lockrem, Lund, Marks, Mercer, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 28.

Paired: Babcock, Day, Federico, Fleming, Gerke, Hageman, Kimble, Lien, Robbins, Sheldon, South, Thomas, Travis, Ayes; Aageson, C. R. Anderson, J. Anderson, Asher, Ellerd, Ellison, Johnston, Kropp, Kvaalen, Marks, Schye, Seifert, Smith, Noes.

Excused: None.

Absent or not voting: Halvorson, Jacobsen. Total 2.

Governor's Amendments to House Bill No. 637 were concurred in by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Dussault, Ellis, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Palmer, Quilici, Rasmussen, Richards, Sloan, Stoltz, Teague, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 67.

Noes: Aageson, Casey, Fabrega, Gwynn, McFadden, O'Connell, Sivertsen, Tropila. Total 8.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Sheldon, Travis. Total 13.

Absent or not voting: Day, Driscoll, Gerke, Huennekens, Meloy, Murphy, Schye, Scully, Smith, South, Staigmilller, Thomas. Total 12.

Senate Joint Resolution No. 32 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Dussault, Ellis, Fabrega, Fagg, Fishbaugh, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Sivertsen, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 70.

Noes: Asher, Finley, Guthrie, Lory, Sloan, Smith, Staigmilller, Wood, Wyrick. Total 9.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Sheldon, Travis. Total 13.

Absent or not voting: Day, Driscoll, Gerke, Meloy, Jack Moore, Schye, South, Thomas. Total 8.

Senate Joint Resolution No. 33 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Dussault, Ellis, Fabrega, Fagg, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy,

Palmer, Quilici, Rasmussen, Richards, Scully, Sivertsen, Smith, Staigmilller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 74.

Noes: Asher, Driscoll, Finley, Lory, Sloan, Wood, Wyrick. Total 7.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, O'Connell, Schye, South, Thomas. Total 6.

Governor's Amendments to House Bill No. 531 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Sivertsen, Sloan, Staigmilller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Marks, Mercer, Jack Moore, Schye, Smith. Total 5.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Fabrega, Gerke, South, Thomas. Total 5.

Senate Amendments to House Bill No. 295 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Smith, South, Staigmilller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 75.

Noes: Asher, Finley, Johnson, Luebeck, James Moore, Palmer, Sloan. Total 7.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Lockrem, Thomas, Wood. Total 5.

Senate Amendments to House Bill No. 10 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper,

Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 80.

Noes: Asher, Wyrick. Total 2.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Manuel, Meloy, Thomas. Total 5.

Senate Amendments to House Bill No. 705 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sloan, Smith, South, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Finley, Kvaalen, Mercer, Jack Moore, Staigmiller. Total 5.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Meloy, Sivertsen, Thomas. Total 5.

Senate Amendments to House Bill No. 54 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Teague. Total 1.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Thomas. Total 3.

Senate Amendments to House Bill No. 60 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth,

Barrett, Bengtson, Bertelsen, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Bardanouve, Bradley, Mercer, Jack Moore, Staigmiller, Vincent. Total 6.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Casey, Day, Gerke, Meloy, Thomas. Total 5.

Senate Amendments to House Bill No. 700 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Bradley, Fishbaugh, Kemmis, Jack Moore, Richards. Total 5.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Thomas. Total 3.

The Conference Committee Report on House Bill No. 393 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Meloy, Thomas. Total 4.

The Conference Committee Report on House Bill No. 412 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sloan, South, Staigmillier, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Casey, Kvaalen, Marks, Mercer, Jack Moore, Sivertsen, Smith. Total 7.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Thomas. Total 3.

The Conference Committee Report on House Bill No. 599 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Driscoll, Gerke, Thomas. Total 4.

The Conference Committee Report on House Bill No. 613 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Aageson, Mercer, Jack Moore, James Moore, Sivertsen, Underdal. Total 6.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Meloy, Thomas. Total 4.

The Conference Committee Report on House Bill No. 264 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Johnson, Richards. Total 2.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Meloy, Thomas. Total 4.

The Conference Committee Report on Senate Bill No. 333 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: None.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Brand, Day, Gerke, Meloy, Thomas. Total 5.

The Conference Committee Report on House Bill No. 8 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Sloan, South, Staigmilller, Stoltz, Teague, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Johnston, Mercer, Jack Moore, Schye, Sivertsen, Smith, Underdal. Total 7.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Meloy, Thomas. Total 4.

The Free Conference Committee Report on House Bill No. 581 was adopted by the following vote:

Ayes: C. R. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Gilligan, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Sloan, South, Staigmiller, Stoltz, Teague, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, J. Anderson, Barrett, Casey, Fabrega, Gould, Guthrie, Hager, Hubing, Johnston, Kvaalen, Lund, Jack Moore, Schye, Sivertsen, Smith, Underdal, Wyrick. Total 18.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Bertelsen, Day, Gerke, Meloy, Thomas. Total 5.

Governor's Amendments to House Bill No. 435 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Brand, Teague. Total 2.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Meloy, Thomas. Total 4.

Governor's Amendments to Senate Bill No. 135 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular,

Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmillier, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 81.

Noes: Brand. Total 1.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Finley, Gerke, Meloy, Thomas. Total 5.

Senate Joint Resolution No. 31 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, South, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 68.

Noes: Brand, Casey, Guthrie, Harper, Helmbrecht, Hubing, Huennekens, Lester, Palmer, Sloan, Smith, Staigmillier, Teague, Wyrick, Yardley. Total 15.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Meloy, Thomas. Total 4.

The Conference Committee Report on House Bill No. 198 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Sivertsen, Sloan, South, Staigmillier, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Brand, Casey, Dassinger, Harper, Luebeck, Murphy, Richards, Smith. Total 8.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Thomas. Total 3.

The Conference Committee Report on House Bill No. 516 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellis, Fagg, Finley, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly,

Kemmis, Kendall, Kummerfeldt, Kvaalen, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Palmer, Quilici, Rasmussen, Richards, Scully, Sloan, South, Staigmiller, Stoltz, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 61.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Brand, Casey, Conroy, Fabrega, Fishbaugh, Guthrie, Helmbrecht, Lester, McFadden, Jack Moore, Murphy, O'Connell, Schye, Sivertsen, Smith, Teague, Underdal, Wyrick. Total 22.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Meloy, Thomas. Total 4.

The Free Conference Committee Report on House Bill No. 602 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Murphy, Palmer, Quilici, Rasmussen, Richards, Scully, Sloan, South, Stoltz, Teague, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 70.

Noes: Casey, Fabrega, Guthrie, Jack Moore, Schye, Sivertsen, Smith, Staigmiller, Tropila, Wood, Wyrick. Total 11.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: C. R. Anderson, Day, Gerke, Meloy, O'Connell, Thomas. Total 6.

The Conference Committee Report on Senate Bill No. 227 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Schye, Scully, Sloan, Smith, South, Staigmiller, Stoltz, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley. Total 73.

Noes: Bradley, Harper, Johnson, Jack Moore, James Moore, Richards, Sivertsen, Teague, Vincent, Mr. Speaker. Total 10.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Bertelsen, Day, Gerke, Thomas. Total 4.

The Conference Committee Report on Senate Bill No. 342 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Casey, Conroy, Day, Ellerd, Ellis, Ellison, Fabrega, Fishbaugh, Gould, Guthrie, Gwynn, Hager, Halvorson, Herlevi, Hubing, Johnston, Kelly, Kropp, Kvaalen, Lien, Lockrem, Lory, Lund, Lynch, Marks, Mercer, Jack Moore, Murphy, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, Staigmillar, Tropila, Underdal, Wolfe, Wood, Wyrick. Total 48.

Noes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Dassinger, Driscoll, Dussault, Fagg, Finley, Gilligan, Gunderson, Harper, Helmbrecht, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Luebeck, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, O'Connell, Palmer, Quilici, Richards, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Vincent, Williams, Yardley, Mr. Speaker. Total 47.

Paired: Babcock, Day, Ellerd, Ellison, Kropp, Lien, Lockrem, Lynch, Robbins, Seifert, Ayes; Bardanouve, Dassinger, Driscoll, Holmes, Kimble, Meloy, Richards, Shelden, Thomas, Yardley, Noes.

Excused: Federico, Fleming, Hageman, Travis. Total 4.

Absent or not voting: Gerke. Total 1.

Senate Bill No. 405 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Tropila, Underdal, Vincent, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Hubing, Schye. Total 2.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Bengtson, Day, Gerke, Huennekens, Thomas, Williams. Total 6.

The Governor's Amendments to House Bill No. 396 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Hubing. Total 1.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Thomas, Underdal. Total 4.

The Governor's Amendments to Senate Bill No. 251 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, South, Staigmillar, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 78.

Noes: Brand, Hubing, Huennekens, Sloan, Smith. Total 5.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Kvaalen, Thomas. Total 4.

Senate Amendments to House Bill No. 114 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Dussault, Ellis, Fabrega, Fagg, Finley, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, Staigmillar, Stoltz, Teague, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 76.

Noes: Fishbaugh, Hubing. Total 2.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Driscoll, Gerke, Huennekens, Marks, Meloy, James Moore, South, Thomas. Total 9.

House Bill No. 715 was passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 79.

Noes: Brand, Fagg, Menahan, Teague. Total 4.

Excused: Babcock, Ellerd, Ellison, Federico, Fleming, Hageman, Kimble, Kropp, Lien, Robbins, Seifert, Shelden, Travis. Total 13.

Absent or not voting: Day, Gerke, Manuel, Thomas. Total 4.

MOTIONS

Driscoll moved that the House reconsider its action on Senate Bill No. 31 on Third Reading this day.

As a substitute motion, Lockrem moved to lay the reconsideration motion on the table.

Motion failed. Thereupon, the original motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 31 was concurred in by the following vote:

Ayes: Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 72.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Bertelsen, Casey, Conroy, Ellerd, Ellison, Gould, Guthrie, Hager, Hubing, Johnston, Kelly, Kropp, Kvaalen, Lockrem, Lund, Marks, Mercer, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 28.

Paired: Babcock, Day, Federico, Fleming, Gerke, Hageman, Kimble, Lien, Robbins, Shelden, South, Thomas, Travis, Ayes; Aageson, C. R. Anderson, J. Anderson, Asher, Ellerd, Ellison, Johnston, Kropp, Kvaalen, Marks, Schye, Seifert, Smith, Noes.

Excused: None.

Absent or not voting: None.

Driscoll moved that the House adjourn until 9:30 a.m., April 14, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTY-FIRST LEGISLATIVE DAY

Helena, Montana
April 14, 1975

House Chambers
Capitol Building

House convened at 9:30 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asher, Day, Ellerd, Kropp, Fleming, Gwynn, Herlevi, Kimble, Seifert, Sivertsen, and Yardley, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eightieth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

April 12, 1975

I have examined House Bill No. 130 introduced by me and find the same to be correct.

BRAND

April 12, 1975

I have examined House Bill No. 164 introduced by me and find the same to be correct.

MENAHAN

April 12, 1975

I have examined House Bill No. 197 introduced by me and find the same to be correct.

FAGG

April 12, 1975

I have examined House Bill No. 327 introduced by me and find the same to be correct.

PALMER

April 12, 1975

I have examined House Bill No. 488 introduced by me and find the same to be correct.

HALVORSON

April 12, 1975

I have examined House Bill No. 643 introduced by me and find the same to be correct.

BARDANOUE

April 12, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 130, 164, 197, 327, 488, 643.

QUILICI, Chairman

April 14, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 12, 1975: House Bills Nos. 334, 370, 567.

Edwin A. Smith, Chief Clerk
House of Representatives

April 12, 1975

The following bills will be signed on adjournment on April 14, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 130, 164, 197, 327, 488, 643.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 12, 1975

Joint Conference Committee Report On Senate Amendments to House Bill No. 341

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 341, met April 10, 11 and 12, 1975, and considered:

Senate Committee on Taxation Amendment dated March 26, 1975,

Senate Committee of the Whole Amendments dated March 31, 1975, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendment dated March 26, 1975,

That the Senate recede from Amendment No. 1,

Having had under consideration Senate Committee of the Whole Amendments dated March 31, 1975,

That the Senate recede from Amendments Nos. 1 and 2,

And further that House Bill No. 341, Third Reading bill, be amended as follows:

2a. Amend page 9, section 6, line 5.

Following: "years"

Insert: "where a public body or a qualifying private organization holds the conservation easement,"

2b. Amend page 9, section 6, line 6.

Following: "used."

Insert: "The minimum assessed value for land subject to an easement conveyed under this chapter may not be less than the actual assessed value of such land in calendar year 1973. Any land subject to such easement may not be classified into a class affording a lesser assessed valuation solely by reason of the creation of the easement."

And that House Bill No. 341, as so amended, be concurred in.

FOR THE HOUSE:

SHELDEN, Chairman
BRADLEY
BERTELSEN

FOR THE SENATE:

MANLEY, Chairman
WATT

Report adopted.

April 12, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 395

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 395, met April 12, 1975, and considered Senate Committee on Judiciary Amendments dated March 20, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1 and 2,

And further that House Bill No. 395, Third Reading bill, be amended as follows:

1. Amend title, page 1, lines 5 through 15.

Following: "an act"

Strike: the remainder of the title in its entirety.

Insert: "to provide that a person convicted of a criminal offense who has served his sentence and is no longer under state supervision may be granted occupational licensure."

2. Amend page 1, following line 17 through page 52, line 19.

Following: the enacting clause.

Strike: the remainder of the bill in its entirety.

Insert: "Section 1. Purpose. It is the public policy of the legislature of the state of Montana to encourage and contribute to the rehabilitation of criminal offenders and to assist them in the assumption of the responsibilities of citizenship. The legislature finds that the public is best protected when such offenders are given the opportunity to secure employment or to engage in a meaningful occupation, while licensure must be conferred with prudence to protect the interests of the public.

Section 2. It is the intent of the legislature and the declared policy of the state that occupational licensure be granted or revoked as a police power of the state in its protection of the public health, safety and welfare.

Section 3. Conviction not a sole basis for denial. Criminal convictions shall not operate as an automatic bar to being licensed to enter any occupation in the state of Montana. No licensing authority shall refuse to license a person solely on the basis of a previous criminal conviction; provided, however, where a license applicant has been convicted of a criminal offense, and such criminal offense relates to the public health, welfare and safety as it applies to the occupation for which the license is sought, the licensing agency may, after investigation, find that the applicant so convicted has not been sufficiently rehabilitated as to warrant the public trust and deny the issuance of a license.

Section 4. Statement of reasons for denial. When a licensing agency prohibits an applicant from being licensed, wholly or partially on the basis of a criminal conviction, the agency shall state explicitly in writing the reasons for the decision.

Section 5. Licensure on completion of supervision. Completion of

probation or parole supervision, without any subsequent criminal conviction, shall be evidence of rehabilitation, provided, however, that the facts surrounding the situation that led to the probation or parole supervision may be considered as they relate to the occupation for which a license is sought and provided that nothing herein shall be construed to prohibit licensure of a person while he is under state supervision if the licensing agency finds insufficient evidence to preclude such licensure."

And that House Bill No. 395, as so amended, be concurred in.

FOR THE HOUSE:

MELOY, Chairman
VINCENT
HAGER

FOR THE SENATE:

ROBERTS, Chairman
WARDEN
TURNAGE

Report adopted.

April 10, 1975

Joint Conference Committee Report No. 2
On Senate Amendments to House Bill No. 557

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 557, met April 10, 1975, and considered Senate Committee of the Whole Amendments dated March 11, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1 through 4,

And further that House Bill No. 557, Third Reading bill, be amended as follows:

2. Amend page 2, section 1, subsection (b), lines 13 and 14.

Following: "exceed"

Strike: "two hundred and fifty thousand dollars (\$250,000)"

Insert: "two hundred thousand dollars (\$200,000)"

4. Amend page 3, section 2, subsection (b), lines 7 and 8.

Following: "exceed"

Strike: "two hundred fifty thousand dollars (\$250,000)"

Insert: "two hundred thousand dollars (\$200,000)"

And that House Bill No. 557, as so amended, be concurred in.

FOR THE HOUSE:

DRISCOLL, Chairman
KEMMIS
SCHYE

FOR THE SENATE:

BLAYLOCK, Chairman
GRAHAM
ABER

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a New Free Conference Committee to meet with a like committee of the House to confer on Senate Bill No. 330.

The President appointed the following members:

Senator Colberg, Chairman
Senator Greely
Senator Olson

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a New Conference Committee to meet with a like committee of the House to confer on House Amendments to Senate Bill No. 367.

The President appointed the following members:

Senator Colberg, Chairman
Senator Greely
Senator Olson

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 289.

The President appointed the following members:

Senator Foster, Chairman
Senator Roberts
Senator Etchart

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 286.

The President appointed the following members:

Senator Regan, Chairman
Senator Murphy
Senator Nelson

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 285.

The President appointed the following members:

Senator Foster, Chairman
Senator Fasbender
Senator Stephens

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 264.

The President appointed the following members:

Senator Boylan, Chairman
Senator Mehrens
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 269.

The President appointed the following members:

Senator Flynn, Chairman
Senator Manley
Senator Stephens

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate acceded to the request of the House and authorized the President to appoint a New Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 401.

The President appointed the following members:

Senator Graham, Chairman
Senator Conover
Senator McCallum

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 532.

The President appointed the following members:

Senator Murphy, Chairman
Senator Romney
Senator Etchart

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 265.

The President appointed the following members:

Senator Romney, Chairman
Senator Thiessen
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a New Conference Committee to meet with a like committee of the House to confer on House Amendments to Senate Bill No. 329.

The President appointed the following members:

Senator Colberg, Chairman
Senator Greely
Senator Olson

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 12, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a New Conference Committee (No. 2) to meet with a like committee of the House to confer on House Amendments to Senate Bill No. 76.

The President appointed the following members:

Senator Roberts, Chairman
Senator Healy
Senator Brown

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that all conference committee reports read this day be placed on Second Reading this day.

Motion carried.

House recessed.

House resumed at 1:00 p.m., Mr. Speaker in the Chair.

Herlevi, Kropp, Fleming and Yardley present at this time.

Helmbrecht and Lester excused at this time.

REPORTS OF STANDING COMMITTEES

April 14, 1975

I have examined House Bill No. 591 introduced by me and find the same to be correct.

SOUTH

April 14, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 591.

QUILICI, Chairman

April 14, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 12, 1975: House Bills Nos. 130, 164, 197, 327, 488, 643.

Edwin A. Smith, Chief Clerk
House of Representatives

April 14, 1975

The following bills will be signed on adjournment on April 14, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 29, 198, 230, House Bill No. 591.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 12, 1975

Joint Conference Committee Report No. 2
On Senate Amendments to House Bill No. 143

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 143, met April 12, 1975, and considered Senate Committee of the Whole Amendments dated March 24, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1, 2, and 3,

And further that House Bill No. 143, Third Reading bill, be amended as follows:

2. Amend page 1, section 1, line 17.

Following: "ordinance"

Insert: "shall only be applicable within the city limits and up to one mile beyond the corporate boundaries of the city or town and"

3. Amend page 1, section 1, line 18.

Following: "passage;"

Insert: "provided, however, a hearing is first held upon notice reasonably designed to inform all affected parties and in no event shall notice be less than publication in a newspaper of general circulation at least seven (7) days before the hearing; provided further,"

And that House Bill No. 143, as so amended, be concurred in.

FOR THE HOUSE:

KEMMIS, Chairman
SOUTH
FAGG

FOR THE SENATE:

ROMNEY, Chairman
FLYNN

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 672.

The President appointed the following members:

Senator Towe, Chairman
Senator Watt
Senator Roskie

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 271.

The President appointed the following members:

Senator Fasbender, Chairman
Senator Roberts
Senator Himsl

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that the rules be suspended and that all unamended bills and conference committee reports which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

Meloy moved that the House suspend Rule 5-4 and reconsider its action in adopting the Conference Committee Report on House Bill No. 453 on the Seventy-third Legislative Day and withdraw the Conference Committee Report.

Motion carried.

Driscoll moved that the Conference Committee on House Bill No. 161 be dissolved and that the Speaker be authorized to appoint a new joint conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 161.

Motion carried.

Bardanouve moved that the Conference Committee on House Bill No. 265 be dissolved and that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 265.

Motion carried.

Huennekens moved that the Conference Committee Report on Senate Bill No. 236 be withdrawn, that the Conference Committee be dissolved, and that the Speaker be authorized to appoint a new free joint conference committee of three to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 236.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new joint conference committee

of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 161: Kemmis, Chairman, Bradley and Fagg.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 265: South, Chairman, Thomas, and Mercer.

REPORTS OF STANDING COMMITTEES

April 14, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Resolution No. 6, respectfully report as follows: That House Resolution No. 6 be amended in the introduced bill as follows:

1. Amend page 3, line 9.
Following: "29."
Strike: "Lauri Peterson"
Insert: "Julie Applebury"

And as amended, be adopted.

LYNCH, Chairman

Report adopted.

House recessed.

House resumed at 4:00 p.m., Mr. Speaker in the Chair.

Helmbrecht present at this time.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new free joint conference committee of three to meet with a like committee of the Senate to confer on House Amendments to Senate Bill No. 236: Huennekens, Chairman, R. Baeth, and Ellison.

REPORTS OF STANDING COMMITTEES

April 14, 1975

I have examined House Bill No. 184 introduced by me and find the same to be correct.

LIEN

April 14, 1975

I have examined House Bill No. 512 introduced by me and find the same to be correct.

FAGG

April 14, 1975

I have examined House Bill No. 698 introduced by me and find the same to be correct.

QUILICI

April 14, 1975

I have examined House Bill No. 53 introduced by me and find the same to be correct.

MARKS

April 14, 1975

I have examined House Bill No. 528 introduced by me and find the same to be correct.

RICHARDS

April 14, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 53, 184, 512, 528, 698.

QUILICI, Chairman

April 14, 1975

The following bills will be signed on adjournment, on April 14, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 53, 184, 512, 528, 698.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 14, 1975

Joint Conference Committee Report On Senate Amendments to House Bill No. 73

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 73, met April 10, 12, and 14, 1975, and considered Senate Committee of the Whole Amendments dated March 18, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1 and 2,

And further that House Bill No. 73, Third Reading bill, be amended as follows:

1a. Amend page 2, section 2, line 19.

Following: "standards"

Strike: "specifications"

1b. Amend page 2, section 2, line 20.

Following: "teams."

Insert: "Such programs of education shall meet with the approval of the board of nursing; however, the board of nursing may not require standards exceeding those required by the American Medical Association."

2a. Amend page 2, section 2, line 21.

Following: "approval"

Strike: ", length of time"

And further that the House accede to Amendments Nos. 3 through 8, and 11 through 13.

And further that the Senate recede from Amendments Nos. 9 and 10,

And further that House Bill No. 73, Third Reading bill, be amended as follows:

9. Amend page 4, section 3, lines 9 and 10.

Following: "drugs"

Strike: "unless specifically granted approval to do so by the board in writing"

Insert: "or optical lenses, or make a determination of the refractive state of the human eye"

10a. Amend page 4, section 3, line 10.

Following: "writing"

Insert: "(9)"

10b. Amend page 4, section 3, line 12.

Following: "licensure"

Insert: "and which have not been a part of the physicians assistant's board approved training"

And that House Bill No. 73, as so amended, be concurred in.

FOR THE HOUSE:

FOR THE SENATE:

FINLEY, Chairman
JACK MOORE
RASMUSSEN

LYNCH
STEPHENS

Report adopted.

April 14, 1975

Joint Conference Committee Report No. 2
On Senate Amendments to House Bill No. 103

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 103, met April 14, 1975, and considered Senate Committee of the Whole Amendments dated March 26, 1975, and recommend as follows:

That the Senate recede from Amendment No. 1,

And further that the House accede to Amendment No. 2,

And further that the Senate recede from Amendment No. 3,

And that House Bill No. 103, as so amended, be concurred in.

FOR THE HOUSE:

FOR THE SENATE:

JACOBSEN, Chairman
GUNDERSON
JACK MOORE

BOYLAN, Chairman
MURPHY

Report adopted.

April 14, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 121

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 121, met April 14, 1975, and considered Senate Committee on Taxation Amendments dated March 29, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 through 5, and 7 through 10,

And further that the Senate recede from Amendment No. 6,

And further that House Bill No. 121, Third Reading bill, be amended as follows:

6. Amend page 1, section 1, line 22.

Following: line 22.

Insert: "(2) An aircraft shall be registered as property within a particular county of the state. This county shall be the county of the owner's principal residence, if the owner is a natural person, or the owner's principal place of doing business in the state, if the owner is not a natural person. However, if the owner declares by affidavit that the aircraft is customarily kept at a landing facility in another county within the state, he may register the aircraft as property within such other county. All aircraft shall be subject to all county and school district tax levies and all other levies designated for aircraft or airport related uses. Such aircraft shall not be liable for other city tax levies."

And that House Bill No. 121, as so amended, be concurred in.

FOR THE HOUSE:

R. BAETH, Chairman

FAGG

QUILICI

FOR THE SENATE:

WATT, Chairman

HEALY

MATHERS

Report adopted.

April 14, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 271

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 271, met April 14, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 11, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1, and 3 through 77,

And further that the Senate recede from Amendment No. 2,

And further that House Bill No. 271, Third Reading bill, be amended as follows:

2. Amend page 2, section 1, line 8.

Following: "than"

Strike: "ten percent (10%)"

Insert: "fifteen percent (15%)"

Having had under consideration Senate Committee of the Whole Amendments dated April 11, 1975,

That the House accede to Amendments Nos. 1 through 4,

And further that the Senate recede from Amendment No. 5,

And further that House Bill No. 271, Third Reading bill, be amended as follows:

5. Amend page 14, section 13, subsection (4), line 22.

Following: "treasury"

Insert: “, provided that the anonymity of private foundation donors shall be maintained and that private donations shall not be used as an offset to general fund appropriations”

And that House Bill No. 271, as so amended, be concurred in.

FOR THE HOUSE:

JACOBSEN, Chairman
LYNCH
JACK MOORE

FOR THE SENATE:

FASBENDER, Chairman
ROBERTS
HIMSL

Report adopted.

April 14, 1975

Joint Conference Committee Report
On Senate Amendments to House Bill No. 683

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 683, met April 14, 1975, and considered Senate Committee of the Whole Amendments dated March 27, 1975, and recommend as follows:

That the House accede to Amendment No. 1,

And further that the Senate recede from Amendment No. 2,

And further that House Bill No. 683, Third Reading bill, be amended as follows:

2. Amend page 5, section 4, line 22.

Following: “time.”

Insert: “Upon the department making the determination that faithful compliance with this chapter has been achieved, the department shall return to the owner thereof all such withheld monies with the exception of two percent (2%) for inspection fees.”

And that House Bill No. 683, as so amended, be concurred in.

FOR THE HOUSE:

BARDANOUE, Chairman
HAGEMAN
LUND

FOR THE SENATE:

FLYNN, Chairman
MANLEY
E. SMITH

Report adopted.

April 14, 1975

Joint Conference Committee Report No. 2
On House Amendments to Senate Bill No. 76

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 76, met April 14, 1975, and considered:

House Committee on Judiciary Amendments dated March 12, 1975,

House Committee on Judiciary Amendments dated March 14, 1975,

House Committee of the Whole Amendments dated March 19, 1975, and recommend as follows:

Having had under consideration House Committee on Judiciary Amendments dated March 12, 1975,

That the House recede from Amendment No. 1,

Having had under consideration House Committee on Judiciary Amendments dated March 14, 1975,

That the House recede from Amendment No. 1,

Having had under consideration House Committee of the Whole Amendments dated March 19, 1975,

That the House recede from Amendment No. 1,

And further that Senate Bill No. 76, Third Reading copy, be amended as follows:

1. Amend page 18, section 10, lines 2, 3, and 4.

Following: "receive"

Strike: "the same salary as a state district court judge and shall receive the same salary increases awarded such judges"

Insert: "an annual salary of twenty-one thousand dollars (\$21,000) and the salary commission may recommend salary increases to the legislature"

And that Senate Bill No. 76, as so amended, be concurred in.

FOR THE SENATE:

ROBERTS, Chairman
HEALY
BROWN

FOR THE HOUSE:

HUENNEKENS, Chairman
JAMES MOORE
LORY

Report adopted.

MESSAGES FROM THE GOVERNOR

April 14, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill No. 648, "An act to generally update and revise laws relating to licensure of plumbers; amending Sections 66-2401, 66-2401.1, 66-2402, 66-2403, 66-2404, 66-2406, 66-2411, 66-2415, 66-2416, 66-2419, 66-2420, and 66-2426, R.C.M. 1947", without my signature and recommend the following amendment.

In exercising this amendatory veto, I must emphasize that I take no position on the content of House Bill No. 648 itself. However, as enrolled, one provision of this bill violates the principles of the Executive Reorganization Act. The amendment that I am offering would simply make this legislation conform to that Act. House Bill No. 648 refers to the Apprenticeship Bureau, Labor Standards Division. This Bureau and Division are administratively created units of the Department of Labor and Industry. Earlier this session I indicated that I would oppose any attempts to codify administratively created units within departments. Therefore, the amendment that I am suggesting would simply delete reference to the

Bureau and the Division of the Department of Labor and Industry and would substitute a reference to the Department itself. In this manner, the Department will be free to reorganize in the future without having to resort to the introduction of legislation to change the names of bureaus and divisions.

I respectfully urge your concurrence.

Sincerely,

THOMAS L. JUDGE
Governor

April 14, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Dear Speaker McKittrick and President McOmber:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill No. 666, "An act requiring disapproval of any subdivisions in the absence of a demonstrated public interest; amending Sections 11-3860, 11-3861 and 11-3866, R.C.M. 1947; and providing an effective date", without my signature and recommend the following amendments.

No bill has sparked more debate this session than House Bill No. 666. I fully endorse the basic intent of the legislation because it will give local governing bodies objective criteria on which to base decisions concerning the approval or disapproval of subdivision activity.

However, I believe that a revision of two of the criteria to be considered by local governments is needed. My proposed amendment #1 will make it clear that a determination of the need for a subdivision is a determination that should be made by the local governing body involved. My amendment simply specifies that the basis of the need for a subdivision will be defined in regulations adopted by the governing body. The housing and subdivision needs of Missoula County are different than those of Yellowstone County. Therefore, this amendment will give local governments the flexibility to determine just what the needs of the jurisdiction are.

Proposed amendment #2 specifies that in considering expressed public opinion, the opinions expressed must relate to the criteria contained in House Bill No. 666. If local governments are going to be required to weigh public opinion, then the opinions must relate to the criteria that the local government must evaluate in approving or disapproving of subdivisions.

I request your careful consideration of this amendatory veto.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGE FROM THE OTHER HOUSE

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 265, and the President was authorized to appoint a Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Bill No. 265.

The President appointed the following members:

Senator Romney, Chairman
Senator Thiessen
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the Governor's Amendments to House Bill No. 648 and House Bill No. 666 be placed on Second Reading for consideration on the Eighty-second Legislative Day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Barrett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 14, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Governor's Amendments to House Bill No. 569 be passed to the bottom of the board.

That the Conference Committee Report on House Bill No. 341 be adopted. (71-8)

That the Conference Committee Report on House Bill No. 395 be adopted. (67-6)

That the Conference Committee Report on House Bill No. 557 be adopted. (77-3)

That the Conference Committee Report on House Bill No. 143 be adopted. (76-5)

That the Conference Committee Report on House Bill No. 103 be adopted. (63-17)

That the Conference Committee Report on House Bill No. 121 be adopted. (76-0)

That the Conference Committee Report on House Bill No. 683 be passed to the bottom of the board.

That the Conference Committee Report on House Bill No. 73 be passed to the bottom of the board.

That the Conference Committee Report on House Bill No. 271 be passed to the bottom of the board.

That the Conference Committee Report on Senate Bill No. 76 be adopted. (44-41)

That the following Governor's Amendments to House Bill No. 569 be not concurred in:

1. Amend page 6, section 2, line 1.

Following: "when the mineral estate is"

Insert: "held in trust by the state of Montana or" (67-15)

That the Conference Committee Report on House Bill No. 683 be adopted. (82-1)

That the Conference Committee Report on House Bill No. 73 be adopted. (77-3)

That the Conference Committee Report on House Bill No. 271 be adopted. (55-33)

That the Committee rise and report.

BARRETT, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

April 14, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration the question of tape recorders being used during floor debate, respectfully report as follows: That the Rules Committee in conjunction with our Joint Rules authorize the legitimate news media to use their tape recording devices during the floor debate of the remaining part of the session if they comply with the standards set forth in the first House Rules meeting and are on the list that was established. Additional names may be added to the list by the Rules Committee if such additions are consistent with the general guidelines established for news media.

DRISCOLL, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

April 14, 1975

Free Joint Conference Committee Report
On House Bill No. 285

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 285, met April 14, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1 through 45,

Having had under consideration Senate Committee of the Whole Amendments dated April 10, 1975,

That the House accede to Amendments Nos. 1 through 10,

Having further considered House Bill No. 285, the Free Joint Conference Committee further recommends:

That House Bill No. 285, reference bill, be amended as follows:

1. Amend page 14, section 12, line 8.

Following: "federal"

Insert: "or private"

2. Amend page 14, section 12, lines 8 and 9.

Following: "moneys."

Strike: "federal dollars shall be spent only to purchase equipment."

3. Amend page 14, section 12, following line 13.

Insert: "Notwithstanding other provisions of law, the executive director of the educational broadcasting commission shall be classified and paid on July 1, 1975 at grade 19, step 1 of the wage and salary plan embodied in House Joint Resolution No. 37, forty-fourth legislature and shall receive only the additional increments specifically provided in the resolution for all state employees."

And that House Bill No. 285, as so amended, be concurred in.

FOR THE HOUSE:

GUNDERSON
JACK MOORE

FOR THE SENATE:

FOSTER, Chairman
FASBENDER
STEPHENS

Report adopted.

April 14, 1975

Free Joint Conference Committee Report
On House Bill No. 286

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 286, met April 14, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1 through 15, 18 through 96, 98 through 101, and 103 through 115,

And further that the Senate recede from Amendments Nos. 16, 17, 97, and 102,

And further that House Bill No. 286, Third Reading bill, be amended as follows:

16. Amend page 9, section 10, line 21.

Strike: "175,346 191,453"

Insert: "141,610 148,806"

17. Amend page 10, section 10, line 3.

Strike: "205,346 217,453"

Insert: "171,610 174,806"

97. Amend page 20, section 10, line 8.

Strike: "55,158 175,335"

Insert: "107,538 207,413"

102. Amend page 20, section 10, line 23.

Strike: "850,465 922,524"

Insert: "917,292 962,738"

Having had under consideration Senate Committee of the Whole Amendments dated April 10, 1975,

That the House accede to Amendments Nos. 1, 2, and 4 through 9,

And further that the Senate recede from Amendments Nos. 3 and 10,

Having further considered House Bill No. 286, the Free Joint Conference Committee further recommends:

That House Bill No. 286, Third Reading bill, be further amended:

1. Amend page 22, following line 15.

Insert: "From the general fund for expenses incident to the Upper Great Plains Transportation Institute.

25,000 25,000"

And that House Bill No. 268, as so amended, be concurred in.

FOR THE HOUSE:

LYNCH, Chairman

GERKE

WOOD

FOR THE SENATE:

REGAN, Chairman

MURPHY

NELSON

Report adopted.

April 14, 1975

Free Joint Conference Committee Report
On House Bill No. 426

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 426, met April 14, 1975, and considered Senate Committee on Business and Industry Amendments dated March 15, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1, 2, and 3,

And that House Bill No. 426, as so amended, be concurred in.

FOR THE HOUSE:

HARPER

FABREGA

FOR THE SENATE:

REGAN, Chairman

TOWE

ROSELL

Report adopted.

April 14, 1975

Free Joint Conference Committee Report
On House Bill No. 532

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 532, met April 14, 1975, and considered Senate Committee on State Administration Amendments dated March 17, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 and 2,

Having further considered House Bill No. 532, the Free Joint Conference Committee further recommends:

That House Bill No. 532, Third Reading bill, be amended as follows:

1. Amend page 1, section 1, subsection (1), line 17.

Following: "traveled"

Insert: "by automobile"

2. Amend page 1, section 1, subsection (1), lines 19 and 20.

Following: "[plane]"

Strike: "at a rate of twelve cents (12¢) per statute mile,"

3. Amend page 1, lines 24 and 25 and page 2, lines 1 through 5.

Reinsert: subsections (2) and (3) and renumber the subsequent subsection.

And that House Bill No. 532, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE HOUSE:

JOHNSTON, Chairman

MULAR

MERCER

FOR THE SENATE:

MURPHY, Chairman

ROMNEY

ETCHART

Report adopted.

April 12, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 175

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Amendments to Senate Bill No. 175, met April 12, 1975, and considered:

House Committee on Natural Resources Amendments dated March 22 (printed amendments of March 20), 1975,

House Committee on Natural Resources Amendments dated March 26, 1975,

House Committee of the Whole Amendments dated April 3, 1975, and recommend as follows:

Having had under consideration House Committee on Natural Resources Amendments dated March 22 (printed amendments of March 20), 1975,

That the Senate accede to Amendments Nos. 1 through 9

Having had under consideration House Committee on Natural Resources Amendments dated March 26, 1975,

That the Senate accede to Amendments Nos. 1, 6, 11, and 12,

And further that the House recede from Amendments Nos. 2 through 5 and 7 through 10,

Having had under consideration House Committee of the Whole Amendments dated April 3, 1975,

That the Senate accede to Amendment No. 1,

And that Senate Bill No. 175, as so amended, be concurred in.

FOR THE SENATE:

MANLEY, Chairman
McOMBER
BROWN

FOR THE HOUSE:

LUEBECK, Chairman
BRADLEY
BARRETT

Report adopted.

April 14, 1975

Free Joint Conference Committee Report
On House Bill No. 265

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 265, met April 14, 1975 and considered Senate Committee on Finance and Claims Amendments dated April 7, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 through 3,

Having further considered House Bill No. 265, the Free Joint Conference Committee further recommends:

That House Bill No. 265, reference bill, be amended as follows:

1. Amend page 6, section 12, line 8.

Following: "ERA"

Strike: "9,952"

Insert: "10,629"

2. Amend page 10, section 12, following line 10.

Insert: new sections as follows and renumber subsequent section:

"Section 13. There is appropriated to the forty-fourth legislature the sum remaining in Senate Bill No. 511, forty-third legislature, second regular session.

Section 14. Any claim made prior to July 1, 1975 for unpaid encumbrances of the forty-third legislature shall be paid from monies appropriated by section 13."

That House Bill No. 265, as so amended, be concurred in.

FOR THE HOUSE:

SOUTH, Chairman
THOMAS
MERCER

FOR THE SENATE:

ROMNEY, Chairman
THIESSEN
DRAKE

Report adopted.

April 14, 1975

Free Joint Conference Committee Report
On House Bill No. 218

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 218, met April 14, 1975, and considered Senate Committee on Judiciary Amendments dated March 18, 1975, and recommend as follows:

That the House accede to Amendment No. 1,

And further that the Senate recede from Amendment No. 2,

And further that House Bill No. 218, Third Reading bill, be amended as follows:

2. Amend page 4, section 1, following line 8.

Insert: a new section as follows:

"Section 2. There is a new R.C.M. section that reads as follows:

Notwithstanding the provisions of section 34 of chapter 329 of the session laws of Montana of 1974, it is the intent of the legislature that the maximum salary for youth court probation officers from July 1, 1974, until the effective date of this act be governed by section 1 of chapter 241 of the session laws of 1974 providing for a maximum annual salary of twelve thousand five hundred dollars (\$12,500) per annum or forty-five dollars (\$45) per diem. Youth court probation officers shall not be required to repay amounts in excess of the limit set by chapter 329 received as compensation for services rendered during that period if the amount was less than the limit set by chapter 241."

And that House Bill No. 218, as so amended, be concurred in.

FOR THE HOUSE:

MENAHAN, Chairman
DUSSAULT
GOULD

FOR THE SENATE:

GREELY, Chairman
MURPHY
STORY

Report adopted.

Free Joint Conference Committee Report
On House Bill No. 453

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 453, met April 3, and April 14, 1975, and considered Senate Committee of the Whole Amendments dated March 25, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 through 7,

And further that the Senate recede from Amendment No. 8,

Having further considered House Bill No. 453, the Free Joint Conference Committee further recommends:

That House Bill No. 453, Third Reading bill, be amended as follows:

1. Amend page 3, section 3, line 13.

Following: "the"

Insert: "next"

2. Amend page 3, section 3, line 19.
 Following: "the"
 Insert: "next"

And that House Bill No. 453, as so amended, be concurred in.

FOR THE HOUSE:

STOLTZ, Chairman
 JOHNSON
 J. ANDERSON

FOR THE SENATE:

LYNCH, Chairman
 COLBERG
 E. SMITH

Report adopted.

MOTIONS

Driscoll moved that the House reconsider its action of the previous legislative day in adopting the Conference Committee Report on Senate Bill No. 342 on Third Reading.

Motion failed.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following mannner:

The Conference Committee Report on House Bill No. 341 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, James Moore, Mular, Murphy, Palmer, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 79.

Noes: Ellison, Fabrega, Kropp, Mercer, Schye, Smith, Staigmiller, Wood, Wyrick. Total 9.

Excused: Asher, Day, Ellerd, Gwynn, Kimble, Lester, Seifert, Sivertsen. Total 8.

Absent or not voting: Casey, Meloy, O'Connell, Quilici. Total 4.

The Conference Committee Report on House Bill No. 395 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 80.

Noes: Brand, Fabrega, Guthrie, Kropp, McFadden, Marks, Mercer, Jack Moore, Smith, Tropila. Total 10.

Excused: Asher, Day, Ellerd, Gwynn, Kimble, Lester, Seifert, Sivertsen. Total 8.

Absent or not voting: Casey, Driscoll. Total 2.

The Conference Committee Report on House Bill No. 557 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 86.

Noes: Guthrie, Marks, Mercer, Smith, Wood. Total 5.

Excused: Asher, Day, Ellerd, Gwynn, Kimble, Lester, Seifert, Sivertsen. Total 8.

Absent or not voting: Casey. Total 1.

The Conference Committee Report on House Bill No. 143 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 79.

Noes: Fabrega, Guthrie, Kropp, Marks, Mercer, Jack Moore, Smith, Wood, Wyrick. Total 9.

Excused: Asher, Day, Ellerd, Gwynn, Kimble, Lester, Seifert, Sivertsen. Total 8.

Absent or not voting: Casey, Lynch, Palmer, Quilici. Total 4.

The Conference Committee Report on House Bill No. 103 was adopted by the following vote:

Ayes: C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch,

Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 74.

Noes: Aageson, J. Anderson, Ellison, Guthrie, Hageman, Hubing, Johnston, Kropp, Lien, Lockrem, Marks, Mercer, Robbins, Smith, Wood, Wyrick. Total 16.

Excused: Asher, Day, Ellerd, Gwynn, Kimble, Lester, Seifert, Sivertsen. Total 8.

Absent or not voting: Casey, Palmer. Total 2.

The Conference Committee Report on House Bill No. 121 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Fishbaugh. Total 1.

Excused: Asher, Day, Ellerd, Gwynn, Kimble, Lester, Seifert, Sivertsen. Total 8.

Absent or not voting: Casey, Holmes, Palmer. Total 3.

The Conference Committee Report on Senate Bill No. 76 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Dassinger, Driscoll, Dussault, Federico, Finley, Fleming, Gerke, Gilligan, Gunderson, Hageman, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kummerfeldt, Lory, Luebeck, Lynch, Magone, Manuel, Meloy, James Moore, Mular, Murphy, O'Connell, Richards, Scully, Shelden, Sloan, South, Staigmilller, Stoltz, Travis, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 48.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Casey, Conroy, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Hager, Halvorson, Hubing, Jacobsen, Johnston, Kendall, Kropp, Kvaalen, Lien, Lockrem, Lund, McFadden, Marks, Menahan, Mercer, Jack Moore, Rasmussen, Robbins, Schye, Seifert, Sivertsen, Smith, Teague, Thomas, Tropila, Underdal, Wood, Wyrick. Total 44.

Paired: Dussault, Finley, James Moore, Mular, Yardley, Ayes; Asher, Casey, Ellerd, Seifert, Sivertsen, Nays.

Excused: Day, Gwynn, Kimble, Lester. Total 4.

Absent or not voting: Fishbaugh, Guthrie, Palmer, Quilici. Total 4.

The Conference Committee Report on House Bill No. 683 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, Smith, South, Staigmilller, Teague, Thomas, Travis, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Bradley, Harper, Stoltz, Vincent. Total 4.

Excused: Asher, Day, Ellerd, Gwynn, Kimble, Lester, Seifert, Sivertsen. Total 8.

Absent or not voting: Casey, Palmer, Quilici. Total 3.

The Conference Committee Report on House Bill No. 73 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Halvorson, Harper, Helmbrecht, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sloan, Smith, South, Staigmilller, Stoltz, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley. Total 82.

Noes: Brand, Herlevi, Teague, Mr. Speaker. Total 4.

Excused: Asher, Day, Ellerd, Gwynn, Kimble, Lester, Seifert, Sivertsen. Total 8.

Absent or not voting: Casey, Lockrem, Palmer, Thomas, Travis, Wolfe. Total 6.

The Conference Committee Report on House Bill No. 271 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Conroy, Driscoll, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gunderson, Hageman, Hager, Halvorson, Harper, Herlevi, Jacobsen, Johnston, Kanduch, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, O'Connell, Quilici, Robbins, Schye, Scully, Shelden, Smith, South, Staigmilller, Thomas, Tropila, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, Babcock, Bradley, Brand, Dassinger, Dussault, Ellis, Gilligan, Gould, Guthrie, Helmbrecht, Holmes, Hubing, Huennekens, Johnson, Kelly, Kemmis, Lory, Murphy, Rasmussen, Richards, Sivertsen, Sloan, Stoltz, Teague, Travis, Vincent. Total 27.

Paired: Jacobsen, Aye; Sivertsen, Nay.

Excused: Asher, Day, Ellerd, Gwynn, Kimble, Lester, Seifert. Total 7.

Absent or not voting: Casey, Palmer. Total 2.

MOTIONS

Gerke moved that the House rescind its action in asking for a conference committee on House Bill No. 289 and that the bill be placed on Second Reading on the Eighty-second Legislative Day for concurrence in Senate Amendments.

Motion carried.

Driscoll moved that the House reconsider its vote on the reconsideration motion on the conference committee report on Senate Bill No. 342.

As a substitute motion, Kvaalen moved that the motion be referred to the Committee on Rules.

Motion failed.

Thereupon, the original motion carried.

Driscoll moved that the House reconsider its action taken on Third Reading on the previous Legislative Day in adopting a conference committee report on Senate Bill No. 342.

Marks moved for a call of the House.

Sufficient seconds arose, and a call of the House was ordered.

Sufficient progress being shown, Gerke moved that the call of the House be lifted.

Motion failed, lacking a $\frac{2}{3}$ majority. (59-30)

Sufficient progress being shown, Lynch moved that the call of the House be lifted.

Motion carried, 75-15.

Thereupon, Driscoll's motion that the House reconsider its action on the conference committee report on Senate Bill No. 342 carried.

Conroy moved that the conference committee report on Senate Bill No. 342 be taken from Third Reading and placed on Second Reading for consideration on the Eighty-second Legislative Day.

As a substitute motion, Jim Moore moved to withdraw the conference committee report on Senate Bill No. 342.

Substitute motion carried.

Conroy moved that the conference committee on Senate Bill No. 342 be dissolved and that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate to confer on Senate Bill No. 342.

Motion carried.

Driscoll moved that the House adjourn until 9:00 a.m., April 15, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 15, 1975

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asher, Day, Ellerd, Gwynn, Kimble, Lester, Murphy, Richards, Schye, Scully and Seifert, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eighty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free joint conference committee to meet with a like committee of the Senate to confer on Senate Bill No. 342: Williams, Chairman, Conroy, and Lockrem.

REPORTS OF STANDING COMMITTEES

April 15, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 14, 1975: House Bill No. 591, Senate Bills Nos. 29, 198, 230, 333.

Edwin A. Smith, Chief Clerk
House of Representatives

April 15, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 14, 1975: House Bills Nos. 53, 184, 512, 528, 698.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 516

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 198

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a New Conference Committee to meet with a like committee of the House to confer on House Amendments to Senate Bill No. 236.

The President appointed the following members:

Senator Norman, Chairman
Senator R. Smith
Senator Dunkle

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's recommended amendments to Senate Bill No. 278 were this day concurred in and are herewith transmitted to the House for concurrence.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Lynch moved that the Conference Committee Report on House Bill No. 286 be withdrawn.

Motion carried.

Huennekens moved that the Conference Committee on Senate Bill No. 236 be changed to a free joint conference committee.

Motion carried.

Jack Moore moved that the Free Conference Committee Report on House Bill No. 285 be withdrawn.

Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Menahan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 15, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the following Governor's Amendment to House Bill No. 648 be concurred in:

1. Amend page 8, section 6, lines 14 and 15.

Strike: "apprenticeship bureau, labor standards division,"

Insert: "department of labor and industry" (71-8)

That the following Governor's Amendments to House Bill No. 666 be concurred in:

1. Amend page 23, section 3, line 7.

Following: "need"

Insert: "; as defined in regulations adopted by the governing body,"

2. Amend page 23, section 3, line 8.

Following: "public opinion"

Insert: "concerning any of the criteria listed in this section" (58-24)

Brand replaces Menahan in the Chair.

That the Senate Amendments to House Bill No. 289 be concurred in. (78-2)

Menahan resumes the Chair.

That the Free Conference Committee Report on House Bill No. 218 be adopted. (86-0)

That the Free Conference Committee Report on House Bill No. 265 be adopted. (78-4)

That the Free Conference Committee Report on House Bill No. 426 be passed to the bottom of the board.

That the Free Conference Committee Report on House Bill No. 532 be adopted. (66-7)

Scully present at this time.

That the Free Conference Committee Report on Senate Bill No. 175 be not adopted. (66-22)

That the Free Conference Committee Report on House Bill No. 453 be adopted. (71-10)

That the Free Conference Committee Report on House Bill No. 426 be passed for the day.

That the Committee rise and report and beg leave to sit again.

MENAHAN, Chairman

Report adopted.

MOTIONS

Bardanoue moved that the Free Conference Committee on Senate Bill No. 175 be dissolved and that the Speaker be authorized to appoint a new free joint conference committee of three to meet with a like committee of the Senate to confer on Senate Bill No. 175.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new free joint conference committee of three to meet with a like committee of the Senate to confer on Senate Bill No. 175: Huennekens, Chairman, Meloy, and Barrett.

REPORTS OF SELECT COMMITTEES

April 14, 1975

Free Joint Conference Committee Report
On House Bill No. 264

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 264, met April 14, 1975, and considered:

Senate Finance and Claims Committee Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1-42, 44, 46, 47, 49, 50, 52-55, 57, 59-69, 73-81, 83-98, 100-110, 112-132.

And further that the Senate recede from Amendments Nos. 43, 45, 48, 51, 56, 58, 70, 71, 72, 82, 99, and 111.

And further that House Bill No. 264, Third Reading bill, be amended as follows:

43. Amend page 12, line 23.

Strike: "11,095,361 11,530,935"

Insert: "11,242,823 11,397,281"

45. Amend page 13, line 12.

Strike: "133,598 143,688"

Insert: "195,956 205,522"

48. Amend page 13, line 22.

Strike: "548,791 584,545"

Insert: "615,673 646,950"

51. Amend page 14, line 11.

Strike: "1,079,975 1,058,228"

Insert: "1,070,852 1,037,511"

It is the intent of this Legislature that in addition to the amounts specifically appropriated, \$82,065 in fiscal 1976 and \$85,646 in fiscal 1977, shall be transferred from the Workmen's Compensation Division ERA

02140, to the Department of Administration to administer the provisions of House Bill No. 100, 44th Legislature. The Department of Administration shall have the authority to spend these funds to administer House Bill No. 100."

56. Amend page 15, line 6.

Strike: "616,646 660,840"

Insert: "624,924 658,372"

58. Amend page 15, line 12.

Strike: "4,088,047 4,339,739"

Insert: "3,977,776 4,264,526"

70. Amend page 17, line 8.

Strike: "304,845 327,055"

Insert: "321,353 338,543"

71. Amend page 17, line 15.

Strike: "6,503,250 5,994,662"

Insert: "6,543,320 6,027,949"

72. Amend page 17, line 18.

Strike: "177,708 190,986"

Insert: "248,003 251,862"

82. Amend page 18, line 20.

Strike: "61,530,150 64,449,636"

Insert: "61,762,300 64,570,116"

99. Amend page 21, line 5.

Strike: "6,434 7,434"

Insert: "7,434 7,934"

111. Amend page 22, line 17.

Strike: "1,058,744 1,169,470"

Insert: "1,108,813 1,226,159"

Having had under consideration Senate Committee of the Whole Amendment dated April 10, 1975,

That the Senate recede from Amendment No. 1,

Having further considered House Bill No. 264, the Free Joint Conference Committee further recommends:

That House Bill No. 264, reference bill, be amended as follows:

1. Amend page 13, following line 19.

Insert: "From the above appropriation \$122,990 in fiscal year 1976 and \$141,020 in fiscal year 1977 is contingent on the passing of Senate Bills Nos. 329, 330, and 367. The license fees if collected shall be reimbursed to the counties. The state shall deduct from said sums the administrative expenses for collecting and handling said funds."

2. Amend page 13, line 22.

Strike: "950,000"

Insert: "1,150,000"

And that House Bill No. 264, as so amended, be concurred in.

FOR THE HOUSE:

MANUEL, Chairman

WOLFE

ELLIS

FOR THE SENATE:

BOYLAN, Chairman

MEHRENS

DRAKE

Report adopted.

April 14, 1975

Free Joint Conference Committee Report
On House Bill No. 269

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 269, met April 14, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1 through 22, 26, 29 through 38, 40, 41, 42, 44 through 64, 67 through 108, 110 through 126, 128, 129, 130, 132, 134, 136 through 165, 167, and 168,

And further that the Senate recede from Amendments Nos. 23, 24, 25, 27, 28, 39, 43, 65, 66, 109, 127, 131, 133, 135, 166, and 169.

And further that House Bill No. 269, Third Reading bill, be amended as follows:

23. Amend page 9, line 22.

Strike:	"279,268	299,196"
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Insert:	"299,830	318,149"
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24. Amend page 9, line 25.

Strike:	"324,862	343,518"
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Insert:	"350,779	379,092"
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25. Amend page 10, line 6.

Strike:	"166,951	177,704"
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Insert:	"174,237	181,081"
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27. Amend page 10, line 14.

Strike:	"221,786	237,436"
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Insert:	"220,769	235,794"
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28. Amend page 10, line 16.

Strike:	"1,514,541	1,580,084"
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Insert:	"1,566,959	1,634,555"
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39. Amend page 11, line 18.

Strike:	"1,010,262	1,087,253"
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Insert:	"1,028,329	1,093,239"
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43. Amend page 11, line 24.

Strike:	"2,138,033	2,292,538"
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Insert:	"2,227,814	2,359,301"
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65. Amend page 15, line 14.

Strike:	"32,479	34,527"
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Insert:	"34,692	34,847"
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66. Amend page 15, line 20.

Strike:	"32,479	34,527"
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Insert:	"43,692	43,847"
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109. Amend page 20, line 21.	
Strike: "356,351	459,940"
Insert: "517,174	592,549"
127. Amend page 23, line 4.	
Strike: "5,906,995	5,844,967"
Insert: "5,999,623	5,908,430"
131. Amend page 23, line 17.	
Strike: "117,053	84,522"
Insert: "88,857	75,344"
133. Amend page 23, line 20.	
Strike: "123,905	169,285"
Insert: "104,644	133,332"
135. Amend page 23, line 22.	
Strike: "738,074	789,732"
Insert: "816,173	879,168"
166. Amend page 28, line 23.	
Strike: "53,333	53,333"
Insert: "101,546	120,553"
169. Amend page 29, line 6.	
Strike: "37,310,692	41,333,386"
Insert: "38,502,124	42,259,184"

Having had under consideration Senate Committee of the Whole Amendments dated April 10, 1975,

That the House accede to Amendments Nos. 1, 3, and 4,

And further that the Senate recede from Amendment No. 2,

And that House Bill No. 269, as so amended, be concurred in.

FOR THE HOUSE:

ROBBINS, Chairman
THOMAS
MARKS

FOR THE SENATE:

FLYNN, Chairman
STEPHENS

Report adopted.

House recessed.

House resumed at 1:30 p.m. Mr. Speaker in the Chair.

Day, Gwynn, Murphy and Richards present at this time. Bradley excused at this time.

REPORTS OF STANDING COMMITTEES

April 15, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly printed: House Resolution No. 6.

QUILICI, Chairman

April 15, 1975

The following bills will be signed on adjournment on April 15, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 203, 354, 370, 377, 379, 388.

Edwin A. Smith, Chief Clerk
House of Representatives

April 15, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 54, respectfully report as follows: That Senate Bill No. 54 be amended in the Third Reading bill as follows:

1. Amend page 1, section 1, line 17.

Following: "receiving"

Insert: "one half (½) of"

And as amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

April 15, 1975

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 406, respectfully report as follows: That Senate Bill No. 406 be concurred in.

HUENNEKENS, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

April 14, 1975

Free Joint Conference Committee Report On House Bill No. 285

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 285, met April 14, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1 through 45,

Having had under consideration Senate Committee of the Whole Amendments dated April 10, 1975,

That the House accede to Amendments Nos. 1 through 10,

Having further considered House Bill No. 285, the Free Joint Conference Committee further recommends:

That House Bill No. 285, reference bill, be amended as follows:

1. Amend page 14, section 12, line 8.

Following: "federal"

Insert: "or private"

2. Amend page 14, section 12, lines 8 and 9.

Following: "moneys."

Strike: "federal dollars shall be spent only to purchase equipment."

3. Amend page 14, section 12, following line 13.

Insert: "Notwithstanding other provisions of law, the executive director of the educational broadcasting commission shall be classified and paid on July 1, 1975, at grade 19, step 1 of the wage and salary plan embodied in House Joint Resolution No. 37, forty-fourth legislature and shall receive only the additional increments specifically provided in the resolution for all state employees. All other employees of the educational broadcasting commission shall be reclassified and paid to the end that the executive director shall receive the highest salary."

And that House Bill No. 285, as so amended, be concurred in.

FOR THE HOUSE:

GUNDERSON
JACK MOORE

Report adopted.

FOR THE SENATE:

FOSTER, Chairman
FASBENDER
STEPHENS

April 10, 1975

Free Joint Conference Committee Report
On House Bill No. 633

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 633, met April 9, 1975, and considered:

Senate Committee on Judiciary Amendments dated March 26, 1975,

Senate Committee of the Whole Amendments dated March 29, 1975,
and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 26, 1975,

That the House accede to Amendments Nos. 1 through 5, 17, and 19 through 31,

And further that the Senate recede from Amendments Nos. 6, 7, 8, 9, 10, 11, 12 through 16, and 18,

And further that House Bill No. 633, Third Reading bill, be amended as follows:

6. Amend page 8, section 3, subsection (2) (b), line 1.

Following: "origin"

Insert: "except when the distinction is based on reasonable grounds"

8. Amend page 8, section 3, subsection (3) (a), line 10.

Following: "origin"

Insert: "except when the distinction is based on reasonable grounds"

10. Amend page 8, section 3, subsection (3) (b), line 17.

Following: "property"

Insert: ", except when the distinction is based on reasonable grounds"

12. Amend page 8, section 3, subsection (3) (c), line 24.

Following: "property"

Insert: ", except when the distinction is based on reasonable grounds"

16. Amend page 11, section 3, subsection (6) (a), line 2.

Following: "mental handicap"

Insert: "unless based on reasonable grounds"

Having had under consideration Senate Committee of the Whole Amendments dated March 29, 1975,

That the Senate recede from Amendment No. 1,

And further that the House accede to Amendments Nos. 2 and 3,

Having further considered House Bill No. 633, the Free Joint Conference Committee further recommends:

That House Bill No. 633, reference bill, be amended as follows:

1. Amend page 7, section 3, subsection (2) (a), line 21.

Following: "origin"

Insert: "unless based on reasonable grounds"

2. Amend page 9, section 3, subsection (4), line 24.

Following: "assistance"

Insert: "unless based on reasonable grounds"

3. Amend page 10, section 3, subsection (5) (a), line 6.

Following: "origin"

Insert: "unless based on reasonable grounds"

4. Amend page 10, section 3, subsection (5) (b), line 18.

Following: "solicited"

Insert: "unless based on reasonable grounds"

5. Amend page 12, section 3, following line 17.

Insert: a new subsection as follows:

"(8) Any grounds urged as a 'reasonable' basis for an exemption under any section of this act shall be strictly construed."

6. Amend page 12, section 4, lines 21 and 22.

Following: "64-306"

Strike: "(2), (3), or (6)."

And that House Bill No. 633, as so amended, be concurred in.

FOR THE HOUSE:

JAMES MOORE, Chairman

LESTER

C. R. ANDERSON

FOR THE SENATE:

TOWE, Chairman

REGAN

Report adopted.

April 14, 1975

Joint Conference Committee Report No. 2
On Senate Amendments to House Bill No. 161

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 161, met April 14, 1975, and considered Senate Committee of the Whole Amendments dated March 25, 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 and 3,

And further that the Senate recede from Amendments Nos. 2 and 4,

And further that House Bill No. 161, Third Reading bill, be amended as follows:

2. Amend page 2, section 3, subsection (3), line 17 through page 3, line 6.

Following: "by the"

Strike: the remainder of subsection (3) in its entirety.

Insert: "state highway commission or by a city or county as requested or permitted by this section shall never in any one (1) fiscal year be less than three-quarters of one percent (0.75%) of the amount appropriated to the department of highways from the earmarked revenue fund for the construction program, maintenance program, and preconstruction program."

And that House Bill No. 161, as so amended, be concurred in.

FOR THE HOUSE:

KEMMIS, Chairman
BRADLEY
FAGG

FOR THE SENATE:

R. SMITH, Chairman
GRAHAM
ROSELL

Report adopted.

April 14, 1975

Free Joint Conference Committee Report No. 2
On House Bill No. 286

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 286, met April 14, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1 through 15, 18 through 68, 70 through 96, 98 through 101, and 103 through 114,

And further that the Senate recede from Amendments Nos. 16, 17, 69, 97, 102, and 115,

And further that House Bill No. 286, Third Reading bill, be amended as follows:

16. Amend page 9, section 10, line 21.

Strike: "175,346 191,453"

Insert: "141,610 148,806"

17. Amend page 10, section 10, line 3.

Strike: "205,346 217,453"

Insert: "171,610 174,806"

69. Amend page 17, section 10, line 9.

Strike: "33,094,531 38,203,906"

Insert: "(all funds available)"

97. Amend page 20, section 10, line 8.

Strike: "55,158 175,335"

Insert: "107,538 207,413"

102. Amend page 20, section 10, line 23.

Strike: "850,465 922,524"

Insert: "917,292 962,738"

115. Amend page 22, section 10, line 21.

Strike: "719,343 750,144"

Insert: "728,428 791,758"

Having had under consideration Senate Committee of the Whole Amendments dated April 10, 1975,

That the House accede to Amendments Nos. 1, 2, and 4 through 9,

And further that the Senate recede from Amendments Nos. 3 and 10,

Having further considered House Bill No. 286, the Free Joint Conference Committee further recommends:

That House Bill No. 286, Third Reading bill, be further amended:

1. Amend page 22, following line 15.

Insert: "From the general fund for expenses incident to the Upper Great Plains Transportation Institute.
25,000 25,000"

And that House Bill No. 286, as so amended, be concurred in.

FOR THE HOUSE:

LYNCH, Chairman

GERKE

WOOD

FOR THE SENATE:

REGAN, Chairman

MURPHY

NELSON

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, suspended the rules to allow a reconsideration of the Third Reading vote on the Free Conference Committee report on House Bill No. 453, and that the Free Conference Committee report on House Bill No. 453 was on motion, duly carried, taken from Third Reading and rereferred to the Free Conference Committee.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, removed the Conference Committee Report on House Bill No. 286 from Second Reading, and rereferred the report to the Conference Committee.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the New Conference Committee on House Amendments to Senate Bill No. 236, and the President was authorized to appoint a Free Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on Senate Bill No. 236.

The President appointed the following members:

Senator Norman, Chairman
Senator R. Smith
Senator Dunkle

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 576, introduced by Driscoll

House Bill No. 713, introduced by Bardanouve, Lund

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the rules be temporarily suspended and that House Resolution No. 6 be placed on Second Reading for consideration this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that all business which passes Second Reading this day be placed on Third Reading this day.

Motion carried.

Driscoll moved that all conference committee reports which are read this day be placed on Second Reading this day.

Motion carried.

Driscoll moved that the rules be temporarily suspended and that Senate Bill No. 406 be placed on Second Reading for consideration this day.

Motion carried.

Driscoll moved that the Governor's Amendments to Senate Bill No. 278 be placed on Second Reading for consideration this day.

Motion carried.

Lynch moved that the rules be temporarily suspended and that Senate Bill No. 54 be placed on Second Reading for consideration this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Governor's Amendments to House Bill No. 648 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 80.

Noes: Babcock, Ellison, Hubing, Mercer, Jack Moore, Robbins, Smith, Wyrick. Total 8.

Excused: Asher, Bradley, Ellerd, Kimble, Lester, Schye, Seifert. Total 7.

Absent or not voting: Fagg, Fleming, Jacobsen, Marks, Yardley. Total 5.

The Governor's Amendments to House Bill No. 666 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Ellis, Fabrega, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 75.

Noes: Babcock, Bengtson, Bradley, Brand, Dussault, Ellison, Fagg, Hager, Harper, Holmes, Johnson, Lynch, Jack Moore, Mular, Tropila, Wyrick. Total 16.

Paired: Meloy, Aye; Bradley, No.

Excused: Asher, Ellerd, Kimble, Lester, Schye, Seifert. Total 6.

Absent or not voting: Fleming, Jacobsen, Scully. Total 3.

Senate Amendments to House Bill No. 289 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Brand, Casey, McFadden, Teague, Tropila. Total 5.

Excused: Asher, Bradley, Ellerd, Kimble, Lester, Schye, Seifert. Total 7.

Absent or not voting: Fleming, Hageman, Jacobsen, Lockrem, Scully. Total 5.

The Free Conference Committee Report on House Bill No. 218 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 85.

Noes: Gunderson, Jack Moore, Tropila. Total 3.

Excused: Asher, Bradley, Ellerd, Kimble, Lester, Schye, Seifert. Total 7.

Absent or not voting: Fleming, Lockrem, Meloy, Scully, Yardley. Total 5.

The Free Joint Conference Committee Report on House Bill No. 265 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 86.

Noes: J. Anderson, Brand, Teague. Total 3.

Excused: Asher, Bradley, Ellerd, Kimble, Lester, Schye, Seifert. Total 7.

Absent or not voting: Fleming, Lockrem, Meloy, Scully. Total 4.

The Free Conference Committee Report on House Bill No. 453 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Conroy, Dassinger, Day, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, Magone, Manuel, Marks, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 72.

Noes: Casey, Ellison, Fabrega, Guthrie, Helmbrecht, Hubing, Johnston, Kropp, McFadden, Jack Moore, Smith, Tropila, Wyrick. Total 13.

Excused: Asher, Bradley, Ellerd, Kimble, Lester, Schye, Seifert. Total 7.

Absent or not voting: Bardanoue, Bengtson, Driscoll, Fleming, Meloy, James Moore, Scully, Thomas. Total 8.

The Free Conference Committee Report on House Bill No. 532 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 83.

Noes: Brand, Harper, Holmes, Johnson, Jack Moore, Richards. Total 6.

Excused: Asher, Bradley, Ellerd, Kimble, Lester, Schye, Seifert. Total 7.

Absent or not voting: Fleming, Gerke, Scully, Yardley. Total 4.

SPECIAL ORDERS OF THE DAY

Representative J. D. Lynch, Chairman of the Legislative Administration Committee, assisted by the Vice-Chairman Gail Stoltz, presented gifts to the following members and staff in appreciation of their work and leadership:

Bob Stephens, Sergeant-at-Arms
 Edwin Smith, Chief Clerk
 Bob Marks, Minority Whip
 Lloyd Lockrem, Minority Leader
 Mike Meloy, Majority Whip

John Driscoll, Majority Leader
Francis Bardanouve, Speaker-pro-tem
Father Robert O'Donnell, Chaplain
Pat McKittrick, Speaker of the House

MOTIONS

Jack Moore moved that the Conference Committee Report on House Bill No. 285 be placed on Second Reading for consideration this day.

Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Menahan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Gerke excused at this time.

April 15, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 6 be amended as follows:

1. Amend page 3, following line 14.

Insert: "34. Jack Mehlhose, to assist Representative Gould"

2. Amend page 3, following line 14.

Insert: "35. Monida Vaughn, Legislative Business Manager

36. Garry South, Public Information Director - 1 day" (80-0)

And as amended, be adopted. (81-0)

That Senate Bill No. 406 be concurred in. (75-0)

That the Governor's Amendments to Senate Bill No. 278 be passed for the day.

That Senate Bill No. 54 be concurred in. (77-4)

That the Conference Committee Report on House Bill No. 161 be adopted. (63-23)

That the Free Conference Committee Report on House Bill No. 264 be adopted. (80-2)

Wolfe excused at this time.

That the Conference Committee Report on House Bill No. 633 be adopted. (74-2)

Brand replaces Menahan in the Chair.

That the Conference Committee Report on House Bill No. 285 be not adopted. (53-41)

That the Conference Committee Report on House Bill No. 286 be adopted. (61-35)

That the Conference Committee Report on House Bill No. 269 be passed for the day.

That the Committee rise and report and beg leave to sit again.

MENAHAN, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

April 15, 1975

I have examined House Bill No. 54 introduced by me and find the same to be correct.

MARKS

April 15, 1975

I have examined House Bill No. 60 introduced by me and find the same to be correct.

PALMER

April 15, 1975

I have examined House Bill No. 100 introduced by me and find the same to be correct.

McKITTRICK

April 15, 1975

I have examined House Bill No. 114 introduced by me and find the same to be correct.

DASSINGER

April 15, 1975

I have examined House Bill No. 295 introduced by me and find the same to be correct.

LIEN

April 15, 1975

I have examined House Bill No. 412 introduced by me and find the same to be correct.

MELOY

April 15, 1975

I have examined House Bill No. 599 introduced by me and find the same to be correct.

YARDLEY

April 15, 1975

I have examined House Bill No. 700 introduced by me and find the same to be correct.

GWYNN

April 15, 1975

I have examined House Bill No. 705 introduced by me and find the same to be correct.

DAY

April 15, 1975

I have examined House Joint Resolution No. 67 introduced by me and find the same to be correct.

McKITTRICK

April 15, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Bills Nos. 54, 60, 100, 114, 295, 412, 599, 700, 705, House Joint Resolution No. 67.

QUILICI, Chairman

April 15, 1975

The following bills and resolution will be signed on adjournment on April 15, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 54, 60, 100, 114, 295, 412, 599, 700, 705, House Joint Resolution No. 67.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 11, 1975

Free Joint Conference Committee Report On Senate Bill No. 13

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 13, met April 7, 8, 9, 10 and 11, 1975, and considered:

House Committee on Taxation Amendments dated March 27, 1975,

House Committee of the Whole Amendments dated March 28, 1975,

and recommend as follows:

Having had under consideration House Committee on Taxation Amendments dated March 27, 1975,

That the Senate accede to Amendments Nos. 1 through 5,

And further that the House recede from Amendment No. 6,

And further that Senate Bill No. 13, Third Reading bill, be amended as follows:

6. Amend page 7, section 7, lines 3 through 7.

Strike: section 7 in its entirety.

Insert: "Section 7. Section 84-1309.1, R.C.M. 1947, is renumbered 84-1319, and is amended to read as follows:

'[84-1309.1] 84-1319. Disposal of license or severance taxes. License or severance taxes collected under the provisions of this chapter or such sections as may enact a severance tax on coal in 1975 are allocated as follows:

(1) To the county [general fund] for such purposes as the governing body of that county may determine from which coal was mined for each calendar year prior to January 1, 1980, three cents (3¢) per ton or four

percent (4%) of the severance tax paid on the coal mined in that county, whichever is higher and for each calendar year following December 31, 1979, this amount shall be three cents (3¢) per ton or three and one-half percent (3 ½%) of the severance tax on the coal mined in that county, whichever is higher.

(2) To the earmarked revenue fund, such portions of the severance tax as may be authorized by laws enacted in 1975.

[(2)] (3) All other revenues from license or severance taxes collected under the provisions of this chapter shall be deposited to the credit of the general fund of the state.”

And further that the Senate accede to Amendment No. 7.

Having had under consideration House Committee of the Whole Amendments dated March 28, 1975,

That the House recede from Amendment No. 1,

And further that the Senate accede to Amendment No. 2,

And further that the House recede from Amendment No. 3,

And further that Senate Bill No. 13, Third Reading bill, be amended as follows:

3. Amend title, line 7.

Following: “at”

Strike: “twenty-five percent (25%)”

Insert: “a percentage”

And further that the House recede from Amendment No. 4,

And further that Senate Bill No. 13, Third Reading bill, be amended as follows:

4.(a) Amend page 4, section 3, line 20.

Following: line 19

Strike: “25%”

Insert: “20%”

(b) Amend page 4, section 3, line 22.

Following: line 21

Strike: “25%”

Insert: “30%”

(c) Amend page 4, section 3, line 24.

Following: line 23

Strike: “25%”

Insert: “30%”

(d) Amend page 5, section 3, line 1.

Strike: “25%”

Insert: “30%”

Having further considered Senate Bill No. 13, the Free Joint Conference Committee further recommends:

That Senate Bill No. 13, Third Reading bill, be amended as follows:

1. Amend title, page 1, line 10.

Following: “system;”

Insert: “providing for certain royalties;”

2. Amend page 2, section 1, line 13.

Following: line 12

Strike: "between one-fourth ($\frac{1}{4}$) and"

Insert: "at least"

3. Amend page 2, section 1, line 16.

Following: line 15

Insert: "(f) coal in the lignite form is in less demand and producers of lignite are able to pay lesser amounts of royalty and production tax than producers of sub-bituminous can pay;"

Renumber: all subsequent subsections.

4. Amend page 5, section 4, line 20.

Following: "statement."

Insert: "The department may grant a reasonable extension of time for filing statements and payment of taxes due upon good cause shown therefor."

Section 5. Penalty for delinquent tax. The department shall add to the amount of all delinquent severance taxes a penalty of ten percent (10%) of the delinquent amount plus interest at the rate of one percent (1%) per month or fraction thereof computed on the total amount of severance tax and penalty. Interest shall be computed from the date the severance tax was due to the date of payment. The department shall mail to the person required to file a quarterly report and pay any severance tax, a letter setting forth the amount of tax, penalty and interest due, and the letter shall further contain a statement that if payment is not made within fifteen (15) days a lien may be filed as set forth in section [12 of this act].* The penalty amount may be waived by the department if reasonable cause for the failure or neglect to file the quarterly statement is provided to the department."

Renumber: all subsequent sections.

5. Amend page 6, section 6, line 9.

Following: "conversion"

Insert: "or other manufacturing"

6. Amend page 20, section 17, line 11.

Following: line 11

Insert: "Section 18. There is a new R.C.M. section that reads as follows:

Royalties as percentage of value. (1) If the board of land commissioners leases any state lands for coal mining after the effective date of this act with the royalty to the state of Montana stated as a percentage of the value of the coal, the contract shall define value as the contract sales price as defined in section [2 of this act].*

(2) In any civil action involving a royalty to any person owning coal in this state, in which the royalty is stated as a percentage of the value of the coal, such 'value' shall be construed by the court to be the contract sales price as defined in section [2 of this act], unless the terms of the contract plainly indicate a different definition of value."

Renumber: subsequent sections.

And that Senate Bill No. 13, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

(*Material bracketed by codifier.)

FOR THE SENATE:

MANNING, Chairman

TOWE

MATHERS

FOR THE HOUSE:

HALVORSON, Chairperson

KEMMIS

FAGG

Report adopted.

April 11, 1975

Free Joint Conference Committee Report
On Senate Bill No. 86

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 86, met April 7, 8, 9, 10 and 11, 1975, and considered:

House Committee on Taxation Amendments dated March 20, 1975,

House Committee of the Whole Amendments dated March 26, 1975,
and recommend as follows:

Having had under consideration House Committee on Taxation Amendments dated March 20, 1975,

That the Senate accede to Amendments Nos. 1 and 2,

Having had under consideration House Committee of the Whole Amendment dated March 26, 1975,

That the Senate accede to Amendment No. 1,

And further that Senate Bill No. 86, Third Reading bill, be amended as follows:

1. Amend title, line 12.

Following: "committee;"

Insert: "making appropriations;"

2. Amend page 3, section 4, line 13.

Following: "(2)"

Strike: "Five percent (5%)"

Insert: "Two and one-half percent (2 ½%)"

3. Amend page 3, section 4, line 13.

Following: "year"

Insert: "until December 31, 1979, and thereafter four percent (4%) of total collections per year"

4. Amend page 6, section 8, line 14.

Following: line 14

Insert: "Section 9. There is appropriated to the department of natural resources and conservation from the alternative energy research development and demonstration account, for the purpose of publicizing tax incentives for alternative energy development and energy conservation under House Bill No. 633, as enacted, not to exceed fifteen thousand dollars (\$15,000), for the fiscal year ending June 30, 1976, and for making grants under section 7 of this act all the remaining funds in the alternative energy research development and demonstration account for the biennium ending June 30, 1977."

And that Senate Bill No. 86, as so amended, be concurred in.

FOR THE SENATE:

MANNING, Chairman
TOWE
MATHERS

FOR THE HOUSE:

HALVORSON, Chairwoman
CONROY
FAGG

Report adopted.

April 11, 1975

Free Joint Conference Committee Report
On House Bill No. 663

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 663, met April 7, 8, 9, 10 and 11, 1975, and considered Senate Committee on Taxation Amendments dated March 31 (corrected copy dated April 4), 1975, and recommend as follows:

That the House accede to Amendments Nos. 1 through 3,

And that House Bill No. 663, as so amended, be concurred in.

FOR THE HOUSE:

HALVORSON, Chairperson
CONROY
FAGG

FOR THE SENATE:

MANNING, Chairman
TOWE
MATHERS

Report adopted.

April 11, 1975

Free Joint Conference Committee Report
On House Bill No. 642

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 642, met April 7, 8, 9, 10 and 11, 1975, and considered:

Senate Committee on Taxation Amendments dated March 29, 1975,

Senate Committee on Finance and Claims Amendments dated April 2 (corrected copy dated April 3), 1975,

Senate Committee of the Whole Amendments dated April 3, 1975, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated March 29, 1975,

That the House accede to Amendments Nos. 1 through 13,

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 2 (corrected copy dated April 3), 1975,

That the House accede to Amendments Nos. 1 through 7,

Having had under consideration Senate Committee of the Whole Amendments dated April 3, 1975,

That the House accede to Amendment No. 1,

And that House Bill No. 642, as so amended, be concurred in.

FOR THE HOUSE:

HALVORSON, Chairperson
DASSINGER
FAGG

FOR THE SENATE:

MANNING, Chairman
TOWE
MATHERS

Report adopted.

April 15, 1975

Free Joint Conference Committee Report No. 2
On House Bill No. 401

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 401, met April 14, 1975, and considered Senate Committee on Natural Resources and Fish and Game Amendments dated March 26, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1 through 10,

Having further considered House Bill No. 401, the Free Joint Conference Committee further recommends:

That House Bill No. 401, Third Reading bill, be amended as follows:

1. Amend title, page 1, line 8.

Following: "members"

Insert: ", and providing an immediate effective date"

2. Amend page 1, section 1, subsection (b), line 22.

Following: "[sixtieth]"

Strike: "sixth"

Insert: "fiftieth"

4. Amend page 2, section 2, line 20 through page 4, line 10.

Following: "(1)"

Strike: the remainder of subsections (1) and (2) in their entirety and renumber subsequent subsection.

Insert: "The terms of office of all council members shall be two (2) years and shall terminate upon appointment of a new council before the fiftieth legislative day. Council members may be reappointed; however in no case shall a member serve more than six (6) years."

3. Amend page 2, section 1, subsection (c), lines 5, 6 and 7.

Following: "public"

Strike: "to be appointed by the [governor] speaker of the house with the consent of the president of the senate"

Insert: "; two (2) public members shall be appointed by the speaker of the house with the consent of the house minority leader, and two (2) shall be appointed by the president of the senate with the consent of the senate minority leader"

5. Amend page 4, following line 13.

Insert: a new section 3 to read as follows:

"Section 3. Effective date. This act is effective upon passage and approval."

And that House Bill No. 401, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE HOUSE:

HAGER
DAY

Report adopted.

FOR THE SENATE:

GRAHAM, Chairman
CONOVER
McCALLUM

April 14, 1975

Free Joint Conference Committee Report No. 2
On Senate Bill No. 330

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 330, met April 14, 1975, and considered House Committee on State Administration Amendments dated March 15, 1975, and recommend as follows:

That the Senate accede to Amendments Nos. 1 and 2,

And further that the House recede from Amendment No. 3,

And further that the Senate accede to Amendments Nos. 4, 5, and 6,

And further that the House recede from Amendment No. 7,

And further that Senate Bill No. 330, Third Reading bill, be amended as follows:

7. Amend page 2, section 1, lines 4 through 6.

Following: "69-4507,"

Strike: "a payment of twenty dollars (\$20) for each establishment that is licensed in the jurisdiction of that local board of health"

Insert: "an amount from any general fund appropriation to the department which is for the purpose of inspecting establishments licensed under this act"

And further that the House recede from Amendment No. 8,

And further that Senate Bill No. 330, Third Reading bill, be amended as follows:

8. Amend page 5, section 4, lines 1 through line 10 on page 6.

Strike: sections 4 and 5 in their entirety.

Renumber: subsequent section.

And that Senate Bill No. 330, as so amended, be concurred in.

FOR THE SENATE:

FOR THE HOUSE:

COLBERG, Chairman

GREELY

OLSON

HAGEMAN

MERCER

Report adopted.

April 14, 1975

Joint Conference Committee Report No. 2
On House Amendments to Senate Bill No. 329

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 329, met April 14, 1975, and considered House Committee on State Administration Amendments dated March 15, 1975, and recommend as follows:

That the Senate accede to Amendments Nos. 1 and 2,

And further that the House recede from Amendment No. 3,

And further that the Senate accede to Amendments Nos. 4, 5, 6 and 8,

And further that the House recede from Amendment No. 7,

And further that Senate Bill No. 329, Third Reading bill, be amended as follows:

7. Amend page 2, section 1, subsection (c), lines 4 through 6.

Following: "1947,"

Strike: "a payment of twenty dollars (\$20) for each establishment that is licensed in the jurisdiction of that local board of health"

Insert: "an amount from any general fund appropriation to the department which is for the purpose of inspecting establishments licensed under this act"

And that Senate Bill No. 329, as so amended, be concurred in.

FOR THE SENATE:

FOR THE HOUSE:

COLBERG, Chairman

GREELY

OLSON

HAGEMAN

MERCER

Report adopted.

April 14, 1975

Joint Conference Committee Report No. 2
On House Amendments to Senate Bill No. 367

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 367, met April 14, 1975, and considered House Committee on State Administration Amendments dated March 15, 1975, and recommend as follows:

That the Senate accede to Amendments Nos. 1 and 2,

And further that the House recede from Amendments Nos. 3 and 4,

And further that the Senate accede to Amendments Nos. 5 and 6,

And further that the House recede from Amendment No. 7,

And further that Senate Bill No. 367, Third Reading bill, be amended as follows:

7. Amend page 1, section 1, subsection (3), line 25 through page 2, line 2.

Following: "1947,"

Strike: "a payment of twenty dollars (\$20) for each establishment that is licensed in the jurisdiction of that local board of health"

Insert: "an amount from any general fund appropriation to the department which is for the purpose of inspecting establishments licensed under this act"

And further that the House recede from Amendment No. 8,

And further that Senate Bill No. 367, Third Reading bill, be amended as follows:

8. Amend page 5, section 3, lines 21 through 23.

Following: "violation"

Strike: the remainder of section 3 in its entirety.

Insert: "of this act."

And that House Bill No. 367, as so amended, be concurred in.

FOR THE HOUSE:

HAGEMAN
MERCER

FOR THE SENATE:

COLBERG, Chairman
GREELY
OLSON

Report adopted.

April 14, 1975

Joint Conference Committee Report No. 2
On House Amendments to Senate Bill No. 235

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 235, met April 14, 1975, and considered:

House Committee on Business and Industry Amendments dated March 14, 1975,

House Committee of the Whole Amendments dated March 20, 1975, and recommend as follows:

Having had under consideration House Committee on Business and Industry Amendments dated March 14, 1975,

That the House recede from Amendment No. 1,

And further that Senate Bill No. 235, Third Reading bill, be amended as follows:

1. Amend page 1, section 1, line 15.

Following: "agreement."

Strike: "Parties"

Insert: "On amounts up to two hundred fifty thousand dollars (\$250,000) parties"

2. Amend page 1, section 1, line 18.

Following: "four"

Strike: "percent (4%)"

Insert: "(4) percentage points"

3. Amend page 1, section 1, line 21.

Following: "district"

Strike: "at the date the loan is executed"

Insert: "whichever is greater"

4. Amend page 1, section 1, lines 23 and 24.

Following: "judgment."

Strike: "on loans in excess of one million dollars (\$1,000,000),"

Insert: "On amounts exceeding two hundred fifty thousand dollars (\$250,000) and up to five hundred thousand dollars (\$500,000) parties may agree in writing for the payment of any rate of interest not more than ten percent (10%) per annum or more than five (5) percentage points in excess of the discount rate on ninety-day commercial paper in effect at the federal reserve bank in the ninth federal reserve district, whichever is greater, and such interest shall be allowed, according to the terms of the agreement, until the entry of judgment. On amounts exceeding five hundred thousand dollars (\$500,000)"

5. Amend page 2, section 1, line 1.

Following: "limitation"

Insert: ", and such interest shall be allowed, according to the terms of the agreement, until the entry of judgment."

Having had under consideration House Committee of the Whole Amendments dated March 20, 1975,

That the House recede from Amendments Nos. 1, 2, and 3,

And that Senate Bill No. 235, as so amended, be concurred in.

FOR THE SENATE:
FOSTER, Chairman
JERGESON

FOR THE HOUSE:
VINCENT, Chairman
MELOY
FAGG

Report adopted.

April 14, 1975

Joint Conference Committee Report
On House Amendments to Senate Bill No. 78

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 78, met April 12, and 14, 1975, and considered House Committee on Judiciary Amendments dated March 25 (printed amendments dated March 24), 1975, and recommend as follows:

That the Senate accede to Amendments Nos. 1 through 10,

And further that the House recede from Amendment No. 11,

And further that Senate Bill No. 78, Third Reading bill, be amended as follows:

11. Amend page 2, section 1.

Following: line 6.

Insert: "(2) An independent committee means a committee which is not organized on behalf of a candidate or which is not controlled either directly or indirectly by a candidate or candidate's committee, and which does not act jointly with a candidate or candidate's committee in conjunction with the making of expenditures or accepting contributions. For the purpose of limitation on contributions, political party organizations are independent committees. Aggregate contributions by an independent committee to a candidate and political committees organized on his behalf for all elections in a campaign are limited as follows:

(a) for candidates filed jointly for the offices of governor and lieutenant governor, not to exceed eight thousand dollars (\$8,000);

(b) for a candidate to be elected for state office in a statewide election, other than the candidates for governor and lieutenant governor, not to exceed two thousand dollars (\$2,000);

(c) for a candidate for public service commissioner, not to exceed one thousand dollars (\$1,000);

(d) for a candidate for district court judge, not to exceed two hundred fifty dollars (\$250);

(e) for a candidate for the legislature, not to exceed two hundred fifty dollars (\$250);

(f) for a candidate for city or county office, not to exceed two hundred dollars (\$200)."

And further that the Senate accede to Amendments Nos. 12 through 23,

And further that the House recede from Amendments Nos. 24 and 25,

And further that the Senate accede to Amendments Nos. 26 through 29,

And further that the House recede from Amendment No. 30,

And further that Senate Bill No. 78, Third Reading bill, be amended as follows:

30. Amend page 3, section 1, lines 2 and 3.

Following: "spouse,"

Strike: "any minor child, mother, father, mother-in-law, and father-in-law"

Insert: "and the ascendants, descendants, brothers and sisters of the candidate and his spouse, and their spouses"

Having further considered Senate Bill No. 78, the Joint Conference Committee further recommends:

That Senate Bill No. 78, Third Reading bill, be amended as follows:

1. Amend page 2, section 1, line 19.

Following: "for the"

Strike: "legislature"

Insert: "state senate"

That Senate Bill No. 78, reference bill, be amended as follows:

2. Amend page 4, section 1, line 16.

Following: line 16.

Insert: "(IV) For candidates for the state house of representatives not to exceed five hundred dollars (\$500) in all elections in a campaign; and"

Renumber: subsequent subsection.

And that Senate Bill No. 78, as so amended, be concurred in.

FOR THE SENATE:

FOR THE HOUSE:

GREELY, Chairman

MURPHY

ROSELL

VINCENT

LORY

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 683

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 143

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 395.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report No. 2 on Senate Amendments to House Bill No. 557.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's Amendments to the following House Bills were this day concurred in by the Senate and are herewith returned to the House:

Governor's Amendments to House Bill No. 396

Governor's Amendments to House Bill No. 435

Governor's Amendments to House Bill No. 531

Governor's Amendments to House Bill No. 637

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that House Bill No. 714 be taken from the Committee

on Labor and Employment Relations and be placed on Second Reading for consideration this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Sivertsen, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker. Total 78.

Noes: Brand, Fabrega, Kvaalen, Marks, Mercer, Jack Moore, Sloan, Staigmiller, Wyrick. Total 9.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Bardanouve, Huennekens, Meloy, James Moore, Shelden. Total 5.

Senate Bill No. 406 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Meloy. Total 1.

The Conference Committee Report on House Bill No. 161 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch,

Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Tropila, Vincent, Williams, Yardley, Mr. Speaker. Total 74.

Noes: J. Anderson, Babcock, Bengtson, Bertelsen, Ellison, Fishbaugh, Hubing, Johnston, Kropp, Mercer, Jack Moore, Smith, Staigmilller, Underdal, Wood, Wyrick. Total 16.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Meloy, Travis. Total 2.

The Conference Committee Report on House Bill No. 264 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 89.

Noes: Tropila. Total 1.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Meloy, Palmer. Total 2.

The Conference Committee Report on House Bill No. 633 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Fabrega, Jack Moore. Total 2.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Ellison, Meloy. Total 2.

The Conference Committee Report on House Bill No. 286 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Day, Driscoll, Dussault, Federico, Finley, Fleming, Gerke, Gilligan, Gunderson, Gwynn, Hageman, Hager, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mular, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Sheldon, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 60.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bertelsen, Brand, Casey, Conroy, Dassinger, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Gould, Guthrie, Helmbrecht, Hubing, Kropp, Kvaalen, Lockrem, Marks, Mercer, Jack Moore, James Moore, Murphy, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wyrick. Total 36.

Paired: Bardanouve, Bradley, Driscoll, Gerke, Gunderson, Wolfe, Yardley, Ayes; Asher, Ellerd, Fagg, Lockrem, Marks, Schye, Seifert, Noes.

Excused: Kimble, Lester. Total 2.

Absent or not voting: Halvorson, Meloy. Total 2.

MOTIONS

Robbins moved that the Conference Committee Report on House Bill No. 269 be withdrawn.

Motion carried.

Jacobsen moved that the Free Conference Committee on House Bill No. 285 be dissolved and that the Speaker be authorized to appoint a new free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 285.

Motion carried.

Jacobsen moved that the Conference Committee on Senate Amendments to House Bill No. 103 be dissolved and that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 103.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Menahan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 15, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 714 be passed for the day.

That the Conference Committee Report on House Bill No. 401 be adopted. (79-1)

That the Conference Committee Reports on House Bills Nos. 642 and 663 and Senate Bills Nos. 13 and 86 be passed for the day.

That the Conference Committee Report on Senate Bill No. 78 be adopted. (65-6)

That the Conference Committee Report on Senate Bill No. 235 be not adopted. (61-26)

That the Conference Committee Report on Senate Bill No. 329 be adopted. (62-20)

That the Conference Committee Report on Senate Bill No. 330 be adopted. (62-23)

That the Conference Committee Report on Senate Bill No. 367 be adopted. (50-36)

That the Committee rise and report.

MENAHAN, Chairman

Report adopted.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 285: Jacobsen, Chairman, Gunderson, and Jack Moore.

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 103: Jacobsen, Chairman, Gunderson, and Jack Moore.

REPORTS OF STANDING COMMITTEES

April 15, 1975

I have examined House Bill No. 713 introduced by me and find the same to be correct.

BARDANOUE

April 15, 1975

I have examined House Bill No. 154 introduced by me and find the same to be correct.

BARDANOUE

April 15, 1975

I have examined House Bill No. 602 introduced by me and find the same to be correct.

HOLMES

April 15, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 154, 602, 713.

JOHNSTON, Vice-Chairman

April 15, 1975

The following bills will be signed on adjournment on April 15, 1975, in the office of the Speaker of the House of Representatives: Senate Bill No. 310, House Bills Nos. 154, 602, 713.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 15, 1975

Free Joint Conference Committee Report
On Senate Bill No. 87

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 87, met April 7, 8, 9, 10, 11, and 14, 1975, and considered:

House Committee on Taxation Amendments dated March 20, 1975,
House Committee of the Whole Amendments dated March 26, 1975,
and recommend as follows:

Having had under consideration House Committee on Taxation Amendments dated March 20, 1975,

That the House recede from Amendments Nos. 1 through 5,
And further that the Senate accede to Amendments Nos. 6 and 7,
And further that the House recede from Amendment No. 8,
And further that the Senate accede to Amendment No. 9,
And further that the House recede from Amendment No. 10,
And further that Senate Bill No. 87, Third Reading bill, be amended as follows:

10. Amend page 7, section 7, line 2.
Following: "funds."

Insert: ", and (d) degree of local effort in meeting these needs. The board shall formulate guidelines to evaluate degree of local effort, considering bond issues and millage levels. To the extent funds are needed to evaluate and plan for the impact needs caused by coal development, consideration of bond issues and millage levies may be waived."

And further that the Senate accede to Amendments Nos. 11 through 16,

And further that the House recede from Amendment No. 17,

And further that the Senate accede to Amendment No. 18,

And further that the House recede from Amendment No. 19,

And further that Senate Bill No. 87, Third Reading bill, be amended as follows:

19. Amend page 10, section 12, line 18.
Following: line 18.

Insert: "Section 13. There is appropriated to the coal board for its expenses and for making grants under section 7 of this act, seven-elevenths (7/11) of the funds in the local impact and education trust fund account for the biennium ending June 30, 1977. The coal board shall transfer funds from this appropriation to the select legislative review committee created in section 15 of this act, such sums as the committee determines to be necessary to carry out its functions. The committee may reimburse

the legislative auditor or legislative council from these funds for services provided the committee.

Section 14. There is a new R.C.M. section that reads as follows: (1) The department of community affairs shall annually distribute to all the counties in the state the funds in the county land planning account. The funds shall be apportioned forty percent (40%) on the ratio of each county's portion of the total land area of the state and sixty percent (60%) on the ratio of each county's portion of the total population of the state.

(2) Counties receiving funds under this section shall use such funds for the purposes of making inventories of land categories within their boundaries and of classifying lands for taxation and planning programs.

(3) There is appropriated to the department of community affairs for the purposes of this section all the funds in the county land planning account for the biennium ending June 30, 1977.

(4) At the end of each fiscal year the governing body of the affected county shall provide an accounting of how the moneys were spent in a form acceptable to the department of community affairs. Any surplus of prorated funds shall revert to the education trust fund account.

Section 15. Legislative review committee. (1) There is a select interim committee of the legislature, composed and appointed as provided under section 43-716, R.C.M. 1947, from the standing committees on taxation.

(2) The select committee shall review the programs authorized under Senate Bill No. 86, Senate Bill No. 87, and House Bill No. 642, as such programs are established and implemented. The select committee may also review the impact of the severance and gross proceeds taxes upon the coal industry.

(3) The departments of revenue, highways, natural resources and conservation, and community affairs, and the coal board shall furnish the select committee such information as the committee may require. The select committee may require that some or all of the grant or loan applications received under Senate Bill No. 86, Senate Bill No. 87, or House Bill No. 642, together with the proposed action thereon, be referred to the committee before the agency takes final action on such applications.

(4) The legislative auditor, the legislative council, or both, shall furnish professional and clerical staff assistance to the select committee.

(5) The select committee may make such recommendations as it deems proper, at any time to the departments of revenue, highways, natural resources and conservation, and community affairs, and the coal board, and to the forty-fifth legislature prior to the convening thereof."

Having had under consideration House Committee of the Whole Amendments dated March 26, 1975,

That the House recede from Amendments Nos. 1 and 2,

And further that Senate Bill No. 87, Third Reading bill, be amended as follows:

1. Amend page 3, section 3, line 1.

Following: "(2)"

Strike: "Thirty percent (30%)"

Insert: "Twenty-seven and one-half percent (27.5%)"

2. Amend page 3, section 3, lines 2 and 3.

Following: "thereafter"

Strike: "forty percent (40%)"

Insert: "thirty-five percent (35%)"

Having further considered Senate Bill No. 87, the Free Joint Conference Committee further recommends:

That Senate Bill No. 87, Third Reading bill, be amended as follows:

1. Amend title, line 5.

Following: "creating"

Strike: "a fund"

Insert: "funds"

2. Amend title, line 8.

Following: "state;"

Insert: "creating a fund to support county planning;"

3. Amend title, line 9.

Following: "the"

Strike: "fund"

Insert: "funds"

4. Amend title, line 10.

Following: "grants"

Strike: "from the fund"

5. Amend title, line 10.

Following: "governments;"

Insert: "authorizing the department of community affairs to support county planning; directing the department of highways to reconstruct certain roads; establishing a legislative review committee; making appropriations;"

6. Amend page 1, section 1, line 23.

Following: "development,"

Insert: "to support county land planning,"

7. Amend page 2, section 3, line 21.

Following: "mined"

Strike: "three cents (3¢) per ton; provided, however"

8. Amend page 2, section 3, lines 22 and 23.

Following: "1980,"

Strike: "this amount shall be"

9. Amend page 2, section 3, line 23.

Following: "or"

Strike: "five percent (5%)"

Insert: "four percent (4%)"

10. Amend page 2, section 3, line 24.

Following: "the"

Strike: "contract sale price of"

Insert: "severance tax paid on"

11. Amend page 2, section 3, line 25.

Following: "higher"

Insert: ", and for each calendar year following December 31, 1979, three cents (3¢) per ton or three and one-half percent (3 ½%) of the severance tax paid on the coal mined in that county, whichever is higher"

12. Amend page 3, section 3, line 9.

Following: line 8.

Insert: "(4) Ten percent (10%) of total collections per year, to the earmarked revenue fund, for state equalization aid to public schools of the state.

(5) For the period ending December 31, 1979, one percent (1%) of total collections per year to the earmarked revenue fund, to the credit of the county land planning account.

(6) Two and one-half percent (2 ½%) of total collections per year to the earmarked revenue fund to the credit of the alternative energy research development and demonstration account.

(7) Two and one-half percent (2 ½%) of total collections per year, to the sinking fund, to the credit of the renewable resource development bond account.

(8) Two and one-half percent (2 ½%) of total collections per year through June 30, 1979, of which portion one-half (½) shall be allocated to the earmarked revenue fund, for the purpose of acquisition of sites and areas described in section 62-304, subject to legislative appropriations, and one-half (½) shall be allocated to the trust and legacy fund, for the purpose of parks acquisition. After June 30, 1979, five percent (5%) of total collections per year shall be allocated to the trust and legacy fund, for the purpose of parks acquisition. Income from the fund established in this subsection may be appropriated for the acquisition of sites and areas described in section 62-304."

13. Amend page 4, section 5, line 24.

Following: "of"

Strike: "ten (10)"

Insert: "seven (7)"

14. Amend page 5, section 5, line 1.

Strike: "intergovernmental relations"

Insert: "community affairs"

15. Amend page 5, section 5, lines 5 through line 1 on page 6.

Following: line 4.

Strike: line 5 on page 5 through line 1 on page 6 in their entirety.

Insert: "The governor shall appoint a seven (7) member coal board, two (2) from the impact areas and two (2) with expertise in education. The governor shall further, in making these appointments, consider people from these fields: business, engineering, public administration and planning. No more than four (4) members may be residents of the same congressional district."

16. Amend page 6, section 6, line 19.

Following: "year"

Strike: "three-fourths (¾)"

Insert: "seven-elevenths (7/11), and after June 30, 1979, three-sevenths (3/7)"

17. Amend page 6, section 6, line 25.

Following: "development."

Insert: "As used in the preceding sentence, 'revenue paid' does not include interest income from the account reinvested in the account in trust for the public schools and the university system."

18. Amend page 7, section 8, line 5.

Following: "of"

Strike: "intergovernmental relations"

Insert: "community affairs"

19. Amend page 7, section 8, line 22.

Following: "under"

Strike: "the act"

Insert: "this act, subject to the limitations imposed by section [11 of this act],"*

20. Amend page 8, section 9, line 3.

Following: "of"

Strike: "intergovernmental relations"

Insert: "community affairs"

21. Amend page 8, section 11, lines 25 through line 1 on page 9.

Following: "investments."

Strike: "Seventy-five percent (75%) of the income from such investments each year shall be paid"

Insert: "Ten percent (10%) of the income from such investments each year shall be added to the principal of the account to be segregated and held in trust for the purposes of supporting the public schools and university systems of the state. Of the remaining ninety percent (90%) of the income from such investments, three-fourths ($\frac{3}{4}$) shall be annually paid."

22. Amend page 9, section 11, lines 3 and 4.

Following: "state"

Strike: ". The remaining twenty-five percent (25%) of the income from such investments"

Insert: "and one-fourth ($\frac{1}{4}$)"

23. Amend page 9, section 12, line 25.

Following: line 25.

Insert: "(3) ten percent (10%) of the moneys received from the collection of the severance tax on coal under chapter 13 of Title 84, R.C.M. 1947,"

Renumber: all subsequent subsections.

And that Senate Bill No. 87, as so amended, be concurred in.

(*Material bracketed by codifier.)

FOR THE SENATE:

MANNING, Chairman

TOWE

MATHERS

FOR THE HOUSE:

HALVORSON, Chairwoman

KEMMIS

FAGG

Report adopted.

MOTIONS

Fagg moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee from the Senate to confer on Senate Bill No. 235.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Free Conference Committee Report on House Bill No. 401 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Holmes, Kelly, Meloy, Scully, Thomas. Total 5.

The Conference Committee Report on Senate Bill No. 78 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: Marks, Jack Moore. Total 2.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Ellison, Holmes, Meloy, Scully, Thomas. Total 5.

The Conference Committee Report on Senate Bill No. 329 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Gwynn, Hageman, Halvorson, Harper, Herlevi, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, Magone, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Shelden, Sloan, South, Staigmilller, Stoltz, Travis, Vincent, Williams, Wyrick, Yardley, Mr. Speaker. Total 60.

Noes: Aageson, C. R. Anderson, J. Anderson, Babcock, Barrett, Brand, Casey, Conroy, Day, Ellison, Fabrega, Guthrie, Hager, Helmbrecht, Kropp, Lockrem, McFadden, Manuel, Marks, Mercer, Rasmussen, Robbins, Sivertsen, Smith, Teague, Tropila, Underdal, Wood. Total 28.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Holmes, Meloy, Scully, Thomas. Total 4.

The Free Conference Committee Report on Senate Bill No. 330 was adopted by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellis, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Hageman, Halvorson, Harper, Herlevi, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lien, Lory, Luebeck, Lund, Lynch, Magone, Menahan, Jack Moore, James Moore, Mular, Palmer, Quilici, Richards, Shelden, Sloan, South, Staigmiller, Stoltz, Travis, Vincent, Williams, Yardley, Mr. Speaker. Total 55.

Noes: Aageson, J. Anderson, Babcock, Barrett, Brand, Casey, Conroy, Day, Ellison, Fabrega, Guthrie, Gwynn, Hager, Helmbrecht, Hubing, Kropp, Lockrem, McFadden, Manuel, Marks, Mercer, Murphy, O'Connell, Rasmussen, Robbins, Sivertsen, Smith, Teague, Tropila, Underdal, Wood, Wyrick. Total 32.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Fagg, Holmes, Meloy, Scully, Thomas. Total 5.

The Conference Committee Report on Senate Bill No. 367 was adopted by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Dassinger, Driscoll, Dussault, Ellis, Federico, Finley, Fishbaugh, Fleming, Gilligan, Gunderson, Hageman, Halvorson, Harper, Herlevi, Huennekens, Johnson, Kelly, Kemmis, Kendall, Kummerfeldt, Lien, Lory, Luebeck, Lynch, Magone, Jack Moore, James Moore, Palmer, Quilici, Richards, Shelden, South, Staigmiller, Stoltz, Travis, Vincent, Williams, Yardley, Mr. Speaker. Total 46.

Noes: Aageson, J. Anderson, Babcock, Barrett, Brand, Casey, Conroy, Day, Ellison, Fabrega, Fagg, Gould, Guthrie, Gwynn, Hager, Helmbrecht, Hubing, Jacobsen, Johnston, Kanduch, Kropp, Kvaalen, Lockrem, Lund, McFadden, Manuel, Marks, Menahan, Mercer, Mular, Murphy, O'Connell, Rasmussen, Robbins, Sivertsen, Sloan, Smith, Teague, Tropila, Underdal, Wood, Wyrick. Total 42.

Excused: Asher, Ellerd, Gerke, Kimble, Lester, Schye, Seifert, Wolfe. Total 8.

Absent or not voting: Holmes, Meloy, Scully, Thomas. Total 4.

Driscoll moved that the House adjourn until 9:30 a.m., April 16, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 16, 1975

House Chambers
Capitol Building

House convened at 9:30 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asher, Ellerd, Kimble, Finley, Murphy, and Seifert, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eighty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

April 16, 1975

I have examined House Bill No. 531 introduced by me and find the same to be correct.

MELOY

April 16, 1975

I have examined House Bill No. 395 introduced by me and find the same to be correct.

MELOY

April 16, 1975

I have examined House Bill No. 8 introduced by me and find the same to be correct.

STOLTZ

April 16, 1975

I have examined House Bill No. 177 introduced by me and find the same to be correct.

GERKE

April 16, 1975

I have examined House Bill No. 393 introduced by me and find the same to be correct.

JAMES MOORE

April 16, 1975

I have examined House Bill No. 613 introduced by me and find the same to be correct.

PALMER

April 16, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 8, 177, 393, 395, 531, 613.

QUILICI, Chairman

April 16, 1975

The following bills will be signed on adjournment on April 16, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 8, 177, 393, 395, 531, 613.

Edwin A. Smith, Chief Clerk
House of Representatives

April 16, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on April 15, 1975: Senate Bills Nos. 203, 354, 370, 377, 379, 388, House Bills Nos. 54, 60, 100, 114, 295, 412, 599, 700, 705, House Joint Resolution No. 67.

Edwin A. Smith, Chief Clerk
House of Representatives

April 16, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 15, 1975: House Bills Nos. 154, 602, 713, Senate Bill No. 310.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 15, 1975

Free Joint Conference Committee Report No. 2 On Senate Bill No. 236

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 236 met April 15, 1975, and considered House Committee of the Whole Amendments dated March 28, 1975, and recommend as follows:

That the Senate accede to Amendments Nos. 1, 2, 3, 5, 6, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28,

And further that the House recede from Amendments Nos. 29 through 33 and 35,

And further that the House recede from Amendment No. 4,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

4. Amend page 2, section 1, lines 8 and 9.

Following: "[(\$5)]"

Strike: "two dollars and fifty cents (\$2.50)"

Insert: "four dollars (\$4)"

And further that the House recede from Amendment No. 7,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

7. Amend page 3, section 1, lines 7 and 8.

Following: "[(\$5)]"

Strike: "three dollars (\$3)"

Insert: "six dollars (\$6)"

And further that the House recede from Amendment No. 8,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

8. Amend page 3, section 1, line 22.

Strike: "four dollars (\$4)"

Insert: "six dollars (\$6) for the license year beginning May 1, 1976, and seven dollars (\$7) for each license year thereafter"

And further that the House recede from Amendment No. 9,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

9. Amend page 3, section 1, line 23.

Following: "[(\$7)]"

Strike: "ten dollars (\$10)"

Insert: "twelve dollars (\$12)"

And further that the House recede from Amendment No. 16,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

16. Amend page 7, section 1, line 21.

Following: line 21

Insert: "(12) B-10 nonresident big game combination license. Any person not a resident as defined in section 26-202.3, R.C.M. 1947, but who is twelve (12) years of age or older may, upon payment of the proper fee or fees and subject to the limitations prescribed by law and commission regulation, be entitled to apply to the fish and game office, Helena, Montana, to purchase a B-10 nonresident big game combination license for two hundred twenty-five dollars (\$225) which shall entitle the holder to all the privileges of a B-2 nonresident combination license, a deer A tag, an elk tag and a black bear license. This license includes the nonresident conservation license as prescribed in section 26-230, R.C.M. 1947."

Renumber: subsequent subsections.

And further that the House recede from Amendment No. 34,

And further that Senate Bill No. 236, Third Reading bill, be amended as follows:

34. Amend page 11, section 1, line 14.

Following: "[(\$18,000)]"

Strike: "sixteen thousand (16,000)"

Insert: "seventeen thousand (17,000)"

Having further considered Senate Bill No. 236, the Free Joint Conference Committee further recommends:

That Senate Bill No. 236, Third Reading bill, be amended as follows:

1. Amend page 11, section 1, lines 2 and 3.

Strike: lines 2 and 3 in their entirety.

Insert: "and A-5 licenses at two dollars (\$2) per license."

And that Senate Bill No. 236, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:

NORMAN, Chairman
R. SMITH
DUNKLE

Report adopted.

FOR THE HOUSE:

HUENNEKENS, Chairman
R. BAETH
ELLISON

April 16, 1975

Select Committee Report
On House Resolution No. 4

Mr. Speaker:

The Select Committee report on House Resolution No. 4 is as follows:

It was felt that the advertisements were misleading but consistent with other ads by other organizations regarding political matters.

It was also found that the three representatives were negligent in allowing the misleading advertisements, specifically exhibits C & D, to appear before the public.

The committee found that there is no good cause to censure or punish these three individuals.

With this, I move the adoption of the Committee Report and move that the committee be dissolved.

BRAND, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 712, introduced by Bardanouve, South

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 715, introduced by Bardanouve, Lund

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the New Conference Committee on Senate Amendments to House Bill No. 73, and the President was authorized to appoint a Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Amendments to House Bill No. 73.

The President appointed the following members:

Senator Roberts, Chairman
Senator Murphy
Senator Dunkle

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on Senate Bill No. 175.

The President appointed the following members:

Senator Manley, Chairman
Senator McOmber
Senator Brown

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on Senate Bill No. 342.

The President appointed the following members:

Senator Fasbender, Chairman
Senator Cetrone
Senator Mathers

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Conference Committee report on Senate Amendments to House Bill No. 103 was this day not concurred in, report adopted, on Committee of the Whole.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 289.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 121

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 218

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 264

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 265

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report No. 2 on House Amendments to Senate Bill No. 76.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 271

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 341

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 426

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 15, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 532

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the Conference Committee on House Bill No. 73 be dissolved and that the Speaker be authorized to appoint a third new joint conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 73.

Motion carried.

Meloy moved that the rules be suspended and that all Senate Bills, amended or unamended, Governor's Amendments, Senate Amendments and conference committee reports which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on Senate Bill No. 235: Vincent, Chairman, Meloy, and Fagg.

The Speaker appointed the following third new conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 73: McKittrick, Chairman, Rasmussen, and Jack Moore.

MOTIONS

Meloy moved that the rules be suspended and that all House Bills which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

REPORTS OF SELECT COMMITTEES

April 15, 1975

Free Joint Conference Committee Report
On House Bill No. 269

Mr. President and Speaker of the House:

We, your Free Conference Committee on House Bill No. 269, met April 15, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1 through 22, 26, 29 through 38, 40, 41, 42, 44 through 64, 67 through 108, 110 through 126, 128, 129, 130, 132, 134, 136 through 144, 146 through 165, 167, and 168,

And further that the Senate recede from Amendments Nos. 23, 24, 25, 27, 28, 39, 43, 65, 66, 109, 127, 131, 133, 135, 145, 166, and 169,

And further that House Bill No. 269, Third Reading bill, be amended as follows:

23. Amend page 9, line 22.

Strike:	"279,268	299,196"
Insert:	"299,830	318,149"

24. Amend page 9, line 25.

Strike:	"324,862	343,518"
Insert:	"350,779	379,092"

25. Amend page 10, line 6.

Strike:	"166,951	177,704"
Insert:	"174,237	181,081"

27. Amend page 10, line 14.

Strike:	"221,786	237,436"
Insert:	"220,769	235,794"

28. Amend page 10, line 16.

Strike:	"1,514,541	1,580,084"
Insert:	"1,566,959	1,634,555"

39. Amend page 11, line 18.

Strike:	"1,010,262	1,087,253"
Insert:	"1,028,329	1,093,239"

43. Amend page 11, line 24.

Strike:	"2,138,033	2,292,538"
Insert:	"2,227,814	2,359,301"

65. Amend page 15, line 14.

Strike:	"32,479	34,527"
Insert:	"34,692	34,847"

66. Amend page 15, line 20.

Strike:	"32,479	34,527"
Insert:	"43,692	43,847"

109. Amend page 20, line 21.

Strike:	"356,351	459,940"
Insert:	"517,174	592,549"

127. Amend page 23, line 4.

Strike: " 5,906,995	5,844,967"
Insert: " 5,999,623	5,908,430"

131. Amend page 23, line 17.

Strike: " 117,053	84,522"
Insert: " 88,857	75,344"

133. Amend page 23, line 20.

Strike: " 123,905	169,285"
Insert: " 104,644	133,332"

135. Amend page 23, line 22.

Strike: " 738,074	789,732"
Insert: " 816,173	879,168"

145. Amend page 25, line 17.

Strike: " 976,729	1,026,808"
Insert: " 1,096,445	1,141,303"

166. Amend page 28, line 23.

Strike: " 53,333	53,333"
Insert: " 101,546	120,553"

169. Amend page 29, line 6.

Strike: "37,310,692	41,333,386"
Insert: "38,577,424	42,338,244"

Having had under consideration Senate Committee of the Whole Amendments dated April 10, 1975,

That the House accede to Amendments Nos. 1, 3, and 4,

And further that the Senate recede from Amendment No. 2,

And that House Bill No. 269, as so amended, be concurred in.

FOR THE HOUSE:

ROBBINS, Chairman
THOMAS
MARKS

FOR THE SENATE:

FLYNN, Chairman
MANLEY
STEPHENS

Report adopted.

April 15, 1975

Free Joint Conference Committee Report On House Bill No. 672

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 672, met April 15, 1975, and considered:

Senate Committee on Taxation Amendments dated April 4, 1975,

Senate Committee of the Whole Amendments dated April 8, 1975, and
recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 4, 1975,

That the House accede to Amendments Nos. 1 through 26, 29 through 89, 93 through 95, 99 through 143, and 145 through 147,

That the Senate recede from Amendments Nos. 27, 28, 90, 91, 92, 96, 97, 98, 144 and 148,

And further that House Bill No. 672, Third Reading bill, be amended as follows:

27. Amend page 10, section 5, line 4.

Following: "of"

Strike: "intergovernmental relations"

Insert: "community affairs"

28. Amend page 10, section 5, line 5.

Following: "classification."

Strike: "The categories are:"

Insert: "(6) In preparing the plan, the following categories shall be used."

90. Amend page 23, section 11, lines 24 and 25, and page 24, line 1.

Strike: lines 24 and 25 on page 23, and line 1 on page 24.

Insert: "Existing Change in Increase (Decrease)

Density Density in Appraised Value"

96. Amend page 24, section 11, lines 13 through 15.

Strike: lines 13 through 15.

Insert: "Existing Change in Increase (Decrease)

Density Density in Appraised Value"

144a. Amend page 36, section 19, lines 1 through 5.

Strike: subsection (1) in its entirety.

144b. Amend page 36, section 19, line 6.

Strike: "(2)"

Insert: "(1)"

144c. Amend page 36, section 19, line 9.

Following: "classification"

Insert: "as set forth in this act"

144d. Amend page 36, section 19, following line 9.

Insert: a new subsection as follows:

"(2) Any increases in taxation to pay for the loss of revenue caused by this act shall be reflected in an increase in mill levies and not in an increase in the valuation of specific property."

148. Amend page 37, section 23, following line 9.

Strike: section 23 in its entirety.

Insert: a new section as follows:

"Section 27. No portion of this act shall become effective until the provisions of section [5] have been met except for those portions of land classified under the provisions of R.C.M. Title 11, chapter 27, into categories which are consistent with the provisions of this act, and as to those portions of land this act shall be effective on January 1, 1976. All appraisals and classifications made thereafter shall be made pursuant to the provisions of this act."

Having had under consideration Senate Committee of the Whole Amendments dated April 8, 1975,

That the Senate recede from Amendments Nos. 1 and 2,

And further that House Bill No. 672, Third Reading bill, be amended as follows:

2. Amend page 10, section 5, following line 11.

Insert: a new section as follows and renumber the subsequent sections:

"Section 6. There is a new R.C.M. section that reads as follows:

County option. After the provisions of section [5] have been complied with and all public hearings held, the local governing body may proceed directly into further implementation provided in section [7] or hold an election of electors within the affected land area. If the voters reject further implementation of the classification plan, the plan may not be implemented and no new election on that plan or any other plan may be held for the period of one (1) year."

And further that the House accede to Amendments Nos. 3 and 4,

Having further considered House Bill No. 672, the Free Joint Conference Committee further recommends:

That House Bill No. 672, reference bill, be amended as follows:

1. Amend page 7, section 4, line 20.

Following: "required"

Strike: "to administer this act"

Insert: "to implement section [5]"

2. Amend page 7, section 4, line 22.

Following: "responsibilities"

Insert: "relating to classifications for tax purposes"

3. Amend page 8, section 5, line 24.

Following: "section"

Insert: "unless the existing classification system conforms to the provisions of this act"

4. Amend page 8, section 5, line 25.

Strike: "classification"

Insert: "preparation of a plan"

5. Amend page 9, section 5, line 23.

Strike: "classification"

Insert: "adoption of the plan"

6. Amend page 9, section 5, line 24.

Following: "proposed land"

Strike: "classification for all the land"

Insert: "categories"

7. Amend page 10, section 5, line 19.

Following: "this"

Strike: "classification"

Insert: "plan"

8. Amend page 10, section 5, line 21.

Following: "the"

Strike: "classification"

Insert: "plan"

9. Amend page 14, section 8, line 22.

Following: "Section"

Strike: "6"

Insert: "[7]"

10. Amend page 37, section 17, line 3.

Following: "Section"

Strike: "[22]"

Insert: "[23]"

11. Amend page 38, section 18, line 22.

Following: "Section"

Strike: "18"

Insert: "[19]"

12. Amend page 42, following line 23.

Insert: a new section as follows and renumber the subsequent sections:

"Section 25. There is a new R.C.M. section that reads as follows:

Reappraisal by department. The appraised value of property shall always include any increases or decreases determined by the department of revenue pursuant to a reclassification plan adopted under its authority. Any increases or decreases in value specifically provided for under the terms of this act shall be made after consideration of all such reappraisals."

And that House Bill No. 672, as so amended, be concurred in.

FOR THE HOUSE:

KEMMIS, Chairman

LIEN

FAGG

FOR THE SENATE:

TOWE, Chairman

WATT

ROSKIE

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 16, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Governor's Amendments to Senate Bill No. 278 be passed to the bottom of the board.

Meloy replaces Gerke in the Chair.

Murphy present at this time.

That the Senate Amendments to House Bill No. 712 be not concurred in. (78-44)

Gerke resumes the Chair.

That the Senate Amendments to House Bill No. 715 and the Conference Committee Reports on House Bills Nos. 426, 642 and 663 be passed to the bottom of the board.

That the Conference Committee Report on Senate Bill No. 13 be adopted. (70-23)

That the Conference Committee Report on House Bill No. 426 be passed for the day.

That the Committee rise and report and beg leave to sit again.

GERKE, Chairman

Report adopted.

MOTIONS

Driscoll moved that the Speaker be authorized to appoint a joint conference committee of three to meet with a like committee of the Senate to confer on Senate Amendments to House Bill No. 712.

Motion carried.

Driscoll moved that all conference committee reports read this day be placed on Second Reading this day.

Motion carried.

Holmes moved that the Speaker be authorized to address a message to any conference committee on House Bill No. 712 encouraging the committee to consider a variety of candidates for the disputed funds, dividing the appropriation according to genuine priority of concern without reference to political considerations.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 712: South, Chairman, Lynch, and C. R. Anderson.

REPORTS OF SELECT COMMITTEES

April 15, 1975

Free Joint Conference Committee Report No. 2
On Senate Bill No. 342

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 342, met April 15, 1975, and considered:

House Committee on Taxation Amendments dated March 24, 1975 (corrected printing of March 24), and

House Committee of the Whole Amendments dated March 26, 1975, and recommend as follows:

Having had under consideration House Committee on Taxation Amendments dated March 24, 1975 (corrected printing of March 24),

That the Senate accede to Amendment No. 1,

Having had under consideration House Committee of the Whole Amendments dated March 26, 1975,

That the House recede from Amendments Nos. 1 and 2,

Having further considered Senate Bill No. 342, the Free Joint Conference Committee further recommends:

That Senate Bill No. 342, Third Reading bill, be amended as follows:

1. Amend page 11, section 3, line 1.

Following: line 1

Insert: "The equalization rate applied to livestock shall be fifty-five percent (55%) through June 30, 1977, and beginning July 1, 1977, the rate shall be sixty-six and two-thirds percent (66 $\frac{2}{3}$ %)."

And that Senate Bill No. 342, as so amended, be concurred in.

FOR THE SENATE:

FASBENDER, Chairman
CETRONE
MATHERS

FOR THE HOUSE:

WILLIAMS, Chairman
CONROY
LOCKREM

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 14, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

New Conference Committee Report No. 2 on Senate Amendments to House Bill No. 161

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 285.

The President appointed the following members:

Senator Fasbender, Chairman
Senator Thiessen
Senator Himsl

Respectfully yours,

John N. Hanson
Secretary of the Senate

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Free Conference Committee Report on Senate Bill No. 13 was adopted by the following vote:

Ayes: C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Federico,

Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Menahan, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 63.

Noes: Aageson, J. Anderson, Barrett, Casey, Conroy, Fabrega, Guthrie, Hager, Hubing, Johnston, Lien, Mercer, Jack Moore, Schye, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 19.

Paired: Brand, Quilici, Ayes; Conroy, Smith, Noes.

Excused: Asher, Ellerd, Finley, Kimble, Seifert. Total 5.

Absent or not voting: Bardanouve, Ellis, Ellison, Fagg, Hageman, Huennekens, Jacobsen, Kvaalen, Lockrem, Lund, Marks, Meloy, James Moore. Total 13.

House recessed.

House resumed at 1:30 p.m., Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 16, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Jacobsen excused at this time.

That the Conference Committee Report on Senate Bill No. 87 be adopted. (66-20)

That the Conference Committee Report on Senate Bill No. 86 be adopted. (78-6)

That the Conference Committee Report on House Bill No. 642 be adopted. (84-0)

That the Conference Committee Report on House Bill No. 663 be adopted. (74-7)

That House Bill No. 714 be amended as follows:

1. Amend page 3, section 1, following line 16.

Insert: "Negotiations concerning the methodology of job classification and grade determination as authorized in section 59-907, are not prohibited under provisions of this section." (78-2)

And be further amended:

2. Amend page 6, section 3, following line 4.

Strike: section 3 in its entirety. (70-14)

And as amended, do not pass. (48-45)

That the following Governor's Amendments to Senate Bill No. 278 be concurred in:

1. Amend page 1, section 2, line 13.

Strike: section 2 in its entirety through the end of line 8 on page 3.

Renumber: all subsequent sections.

2. Amend page 2, section 3, line 11.

Following: "means the"

Strike: "administrative committee hereby established to be known as the"

3. Amend page 2, section 3, line 13.

Following: "committee"

Insert: "provided for in section 82A-1306"

4. Amend page 2, section 4, line 20.

Following: "Section 4."

Insert: "There is a new R.C.M. section, numbered 82A-1306, which reads as follows:
82A-1306."

5. Amend page 2, section 4, line 20.

Following: "to appoint"

Strike: "administrative"

6. Amend page 2, section 4, line 23.

Following: "appoint an"

Strike: "administrative"

7. Amend page 2, section 4, line 25.

Following: "Committee shall"

Strike: ":" and all of the language and punctuation through the words
"(2) The administrative committee shall" on line 6, page 3.

8. Amend page 3, section 4, line 11.

Following: "regulations of the"

Strike: "administrative"

9. Amend page 3, section 4, line 20.

Following: "One member of the"

Strike: "administrative"

10. Amend page 4, section 4, line 12.

Following: "members of the"

Strike: "administrative"

11. Amend page 4, section 4, line 15.

Strike: "administrative"

12. Amend page 4, section 4, line 23.

Strike: "thirty-one (31)"

Insert: "ninety-one (91)"

13. Amend page 5, section 4, line 9.

Following: "term."

Insert: "(8) The committee is allocated to the department of livestock for
- administrative purposes only as provided in section 82A-108."

14. Amend page 5, section 6, line 16.

Following: "member of the"

Strike: "administrative"

15. Amend page 5, section 6, line 18.

Following: "member of the"

Strike: "administrative"

16. Amend page 6, section 7, line 2.

Following: "meeting of the"

Strike: "administrative"

17. Amend page 6, section 8, line 7.

Following: "Powers of"

Strike: "administrative"

18. Amend page 6, section 8, line 8.

Strike: "administrative"

19. Amend page 6, section 8, line 9.

Following: "rules"

Strike: "and regulations as are"

20. Amend page 6, section 8, lines 9 and 10.

Following: "necessary"

Strike: "and advisable to effect efficient"

Insert: "for the"

21. Amend page 6, section 8, line 12.

Following: "(2)"

Strike: "Promptly and effectively enforce the provisions"

Insert: "Provide, through the department, for the enforcement"

22. Amend page 6, section 8, line 14.

Following: "(3)"

Strike: "To conduct"

Insert: "Conduct"

23. Amend page 6, section 8, line 24.

Following: "delegated to the"

Strike: "administrative"

24. Amend page 7, section 9, line 2.

Strike: section 9 in its entirety through the end of line 6.

Renumber: all subsequent sections.

25. Amend page 8, section 11, line 10.

Following: "referred to in"

Strike: "subsection (1)"

Insert: "subsections (1) and"

26. Amend page 8, section 11, line 20.

Following: "therefor to the"

Strike: "administrative"

27. Amend page 9, section 12, line 5.

Following: "research purposes. The"

Strike: "pork research and marketing committee"

Insert: "department of livestock"

28. Amend page 9, section 13, line 14.

Following: "(1)"

Strike: "There shall be established an account known as the pork research and marketing account. There shall be placed in the account;

(a) the"

Insert: "The"

29. Amend page 9, section 13, line 19.

Strike: "(b)"

30. Amend page 9, section 13, lines 20 and 21.

Following: "livestock for"

Strike: "the use of the researches conducted by the division of swine research and marketing"

Insert: "research authorized by this act shall be deposited in the federal and private revenue fund for the use of the committee as provided in this act"

31. Amend page 9, section 13, lines 22, 23, and 24.

Following: "maintained for the"

Strike: "use of the pork research and marketing committee of the department of livestock"

Insert: "purposes of this act"

32. Amend page 10, section 13, line 1.

Strike: all of the language and punctuation through the end of line 5.

Insert: "(3) Ten percent (10%) of all unrefunded assessments shall be paid to the national meat board; and

(4) Ten percent (10%) of all unrefunded assessments shall be paid to the national pork producer council.

(5) The committee may be assessed costs by the department only for those services requested by the committee."

33. Amend page 10, section 14, line 7.

Following: "marketing of swine."

Strike: "(1)"

34. Amend page 10, section 14, lines 18 through 21.

Following: line 17

Strike: subsections (2) and (3) on lines 18 through 21 in their entirety. (80-0)

That Senate Amendments to House Bill No. 715 be concurred in. (79-0)

That the Conference Committee Report on House Bill No. 269 be adopted. (58-33)

That the Conference Committee Report on House Bill No. 672 be adopted. (70-9)

That the Conference Committee Report on Senate Bill No. 236 be adopted. (59-33)

That the Free Conference Committee Report on Senate Bill No. 342 be adopted. (52-45)

That the Committee rise and report.

GERKE, Chairman

Shelden moved that the Conference Committee Report on House Bill No. 269 be segregated from the Committee of the Whole report and as amended, be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

April 16, 1975

I have examined House Bill No. 10 introduced by me and find the same to be correct.

YARDLEY

April 16, 1975

I have examined House Bill No. 143 introduced by me and find the same to be correct.

KEMMIS

April 16, 1975

I have examined House Bill No. 198 introduced by me and find the same to be correct.

SOUTH

April 16, 1975

I have examined House Bill No. 396 introduced by me and find the same to be correct.

MELOY

April 16, 1975

I have examined House Bill No. 435 introduced by me and find the same to be correct.

DUSSAULT

April 16, 1975

I have examined House Bill No. 576 introduced by me and find the same to be correct.

DRISCOLL

April 16, 1975

I have examined House Bill No. 683 introduced by me and find the same to be correct.

BARDANOUE

April 16, 1975

I have examined House Resolution No. 6 introduced by me and find the same to be correct.

LYNCH

April 16, 1975

Mr. Speaker: The Committee on Bills reports the following bills and resolution correctly enrolled: House Bills Nos. 10, 143, 198, 396, 435, 576, 683, House Resolution No. 6.

QUILICI, Chairman

April 16, 1975

The following bills and resolution will be signed on adjournment on April 16, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 10, 143, 198, 396, 435, 576, 683, House Resolution No. 6.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

April 14, 1975

The Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 55, 104, 108, 183, 228, 274, 335, 338, 367, 372, 389, 400, 439, 446, 460, 461, 469, 538, 539, 566, 593, 597, 607, 615, 621, 627 and 650.

Sincerely,

THOMAS L. JUDGE
Governor

April 14, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear President McOmber:

I have the honor to inform you that I have this day approved Senate Bills Nos. 57, 61, 93, 123, 233, 250, 252, 253, 268, 305, 308, 319, 352, and 386.

Sincerely,

THOMAS L. JUDGE
Governor

April 16, 1975

Honorable W. Gordon McOmber
President of the Senate
State Capitol

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Dear President McOmber and Speaker McKittrick:

In exercising the constitutional powers conferred upon me as Governor, I hereby return Senate Bill No. 246, "An act creating a Board of Warm Air Heating, Ventilation, and Air Conditioning; providing for the licensing of persons performing warm air heating, ventilating, or air conditioning work; and amending Section 69-2111, R.C.M. 1947", without my signature and recommend the following amendment.

In exercising this amendatory veto, I must emphasize that I take no position on the content of Senate Bill No. 246 itself. However, as enrolled, one provision of this bill violates the principles of the Executive Reorganization Act. The amendment that I am offering would simply make this legislation conform to that Act. Senate Bill No. 246 refers to the Chief of the Construction Regulation Bureau of the Department of Administration. The Bureau and consequently the position of Chief of that Bureau are administratively created within the Department of Administration. Earlier this session I indicated that I would oppose any attempts to codify

administratively created units within departments. Therefore, the amendment that I am suggesting would simply delete the references to the Chief of the Construction Regulation Bureau and would substitute a reference to a representative of the Department responsible for administering the laws dealing with construction regulation. In this manner the Department will be free to reorganize in the future without having to resort to the introduction of legislation to change the names of administratively created units.

I respectfully urge your concurrence.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on Senate Bill No. 13.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on Senate Bill No. 86

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on Senate Bill No. 87

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 642

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 663

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No. 78

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report No. 2 on House Amendments to Senate Bill No. 329

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on House Bill No. 401

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on House Bill No. 453

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on Senate Bill No. 235.

The President appointed the following members:

Senator Foster, Chairman
Senator Regan
Senator Rosell

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee Report on House Bill No. 633 was this day on Committee of the Whole not concurred in, report adopted, and the President was authorized to appoint a Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Bill No. 633.

The President appointed the following members:

Senator Towe, Chairman
Senator Regan
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Governor's Amendments to House Bill No. 569 were this day on Third Reading, not concurred in, and the said bill and amendments are herewith returned to the House.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's Amendments to House Bill No. 648 were this day concurred in, and the said bill and amendments are herewith returned to the House.

Respectfully yours,

John N. Hanson
Secretary of the Senate

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Free Conference Committee Report on Senate Bill No. 86 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: J. Anderson, Barrett, Casey, Conroy, Ellison, Kvaalen, Lockrem, Lund, Mercer, Jack Moore. Total 10.

Excused: Asher, Ellerd, Finley, Jacobsen, Kimble, Seifert. Total 6.

Absent or not voting: Fabrega, Schye. Total 2.

The Free Conference Committee Report on Senate Bill No. 87 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 72.

Noes: Aageson, Barrett, Casey, Ellison, Fabrega, Hager, Kropp, Kvaalen, Lockrem, Lund, Mercer, Jack Moore, Rasmussen, Sivertsen, Teague, Wood, Wyrick. Total 17.

Excused: Asher, Ellerd, Finley, Jacobsen, Kimble, Seifert. Total 6.

Absent or not voting: Fagg, Gunderson, Manuel, Schye, Underdal. Total 5.

The Conference Committee Report on House Bill No. 642 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Asher, Ellerd, Finley, Jacobsen, Kimble, Seifert. Total 6.

Absent or not voting: Babcock, Schye. Total 2.

The Free Conference Committee Report on House Bill No. 663 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Day, Dussault, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 83.

Noes: Conroy, Ellison, Hubing, Mular, Smith, Wood, Wyrick. Total 7.

Excused: Asher, Ellerd, Finley, Jacobsen, Kimble, Seifert. Total 6.

Absent or not voting: Babcock, Dassinger, Driscoll, Meloy. Total 4.

The Governor's Amendments to Senate Bill No. 278 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall,

Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 88.

Noes: Brand, Gunderson, Jack Moore. Total 3.

Excused: Asher, Ellerd, Finley, Jacobsen, Kimble, Seifert. Total 6.

Absent or not voting: Driscoll, Meloy, Wood. Total 3.

Senate Amendments to House Bill No. 715 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Shelden, Sivertsen, Sloan, Smith, South, Staigmillar, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 90.

Noes: Teague. Total 1.

Excused: Asher, Ellerd, Finley, Jacobsen, Kimble, Seifert. Total 6.

Absent or not voting: Ellison, Helmbrecht, Meloy. Total 3.

The Free Conference Committee Report on House Bill No. 672 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Casey, Ellison, Fabrega, Mercer, Jack Moore, Schye, Staigmillar, Wood. Total 8.

Excused: Asher, Ellerd, Finley, Jacobsen, Kimble, Seifert. Total 6.

Absent or not voting: Babcock, Meloy, Shelden. Total 3.

The Free Conference Committee Report on Senate Bill No. 236 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Dassinger, Day, Driscoll, Dussault, Ellison, Federico, Fishbaugh, Fleming, Gerke, Gilligan,

Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, Magone, Meloy, Menahan, James Moore, Mular, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wood, Yardley, Mr. Speaker. Total 61.

Noes: Asher, Babcock, Barrett, Brand, Casey, Conroy, Ellis, Fabrega, Gould, Gunderson, Guthrie, Gwynn, Hager, Hubing, Johnston, Kanduch, Kropp, Lockrem, Lory, Lund, McFadden, Manuel, Marks, Mercer, Jack Moore, Murphy, O'Connell, Robbins, Smith, Staigmillier, Tropila, Wolfe, Wyrick. Total 33.

Paired: Driscoll, Aye; Asher, No.

Excused: Ellerd, Finley, Jacobsen, Kimble, Seifert. Total 5.

Absent or not voting: Fagg. Total 1.

The Conference Committee Report on Senate Bill No. 342 was not adopted by the following vote:

Ayes: J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Conroy, Dassinger, Day, Ellerd, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Fleming, Gilligan, Gould, Guthrie, Gwynn, Hager, Herlevi, Hubing, Johnston, Kelly, Kropp, Kvaalen, Lien, Lockrem, Lory, Lynch, Marks, Mercer, Jack Moore, Mular, Murphy, Quilici, Rasmussen, Robbins, Schye, Seifert, Sloan, Smith, Staigmillier, Underdal, Williams, Wood, Wyrick, Mr. Speaker. Total 49.

Noes: Aageson, C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Casey, Driscoll, Dussault, Federico, Finley, Gerke, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, O'Connell, Palmer, Richards, Scully, Shelden, Sivertsen, South, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Wolfe, Yardley. Total 51.

Paired: Asher, Ellerd, Fagg, Lockrem, Marks, Seifert, Ayes; Driscoll, Finley, Jacobsen, Kimble, Palmer, Yardley, Noes.

Excused: None.

Absent or not voting: None.

MOTIONS

Lynch moved that the Conference Committee on House Bill No. 712 be changed to a Free Conference Committee.

Motion carried.

Marks moved that the Free Conference Committee on House Bill No. 269 be dissolved and that the Speaker be authorized to appoint a new conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 269.

As a substitute motion, Shelden moved that the Speaker be authorized to appoint a new free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 269.

The substitute motion carried.

Jim Moore moved that the Speaker be authorized to appoint a new free

joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 633.

Motion carried.

Murphy moved that the House reconsider its action of the previous legislative day in not adopting the Conference Committee Report on House Bill No. 285 on Second Reading.

Motion failed.

MESSAGES FROM THE OTHER HOUSE

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on Senate Bill No. 236

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report No. 2 on House Amendments to Senate Bill No. 367

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on Senate Bill No. 330

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on Senate Bill No. 342

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 672

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 712.

The President appointed the following members:

Senator Lynch, Chairman
Senator Thiessen
Senator Turnage

Respectfully yours,

John N. Hanson
Secretary of the Senate

UNFINISHED BUSINESS

The Speaker appointed the following new free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 269: Robbins, Chairman, Richards and Jack Moore.

The Speaker appointed the following new free joint conference committee of three to meet with a like committee from the Senate to confer on House Bill No. 633: Jim Moore, Chairman, Tropila and Wood.

April 16, 1975

Mr. Edwin A. Smith
Chief Clerk of the House of Representatives

Dear Mr. Smith:

I hereby appoint the following Representatives to serve on the Administrative Code Committee required under Senate Bill No. 268:

John Scully, Democrat
James Moore, Democrat
Fred O. Barrett, Republican
Earl C. Lory, Republican

Sincerely,

Pat McKittrick
Speaker of the House

April 16, 1975

Mr. Edwin A. Smith
Chief Clerk of the House of Representatives

Dear Mr. Smith:

I hereby appoint the following Representatives to serve on the Legislative Finance Committee:

Orin P. Kendall, Democrat
David Aageson, Republican

Sincerely,

Pat McKittrick
Speaker of the House

Driscoll moved that the House adjourn until 10:00 a.m., April 17, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 17, 1975

House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asher, Ellerd, Jacobsen, Kimble, Schye, Seifert, and Finley, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eighty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

April 16, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly engrossed February 20, 1975: House Bill No. 121.

QUILICI, Chairman

April 17, 1975

The following resolutions will be signed on adjournment on April 17, 1975, in the office of the Speaker of the House of Representatives: Senate Joint Resolutions Nos. 31, 32.

Edwin A. Smith, Chief Clerk
House of Representatives

April 17, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on April 16, 1975: House Bills Nos. 8, 177, 393, 395, 531, 613, 10, 143, 198, 396, 435, 576, 683, House Resolution No. 6.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 269.

The President appointed the following members:

Senator Flynn, Chairman
Senator Roberts
Senator Himsl

Respectfully yours,

John N. Hanson
Secretary of the Senate

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Kemmis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 17, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Free Conference Committee Report on House Bill No. 426 be adopted. (70-4)

That the Committee rise and report and beg leave to sit again.

KEMMIS, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Free Conference Committee Report on House Bill No. 426 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Jack Moore, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Vincent, Williams, Wolfe, Wood, Mr. Speaker. Total 72.

Noes: Aageson, Casey, Ellison, Guthrie, Hubing, Mercer, Sivertsen, Smith, Tropila, Wyrick. Total 10.

Excused: Asher, Ellerd, Finley, Jacobsen, Kimble, Schye, Seifert. Total 7.

Absent or not voting: Conroy, Federico, Helmbrecht, Huennekens, Lockrem, Meloy, James Moore, Mular, Rasmussen, Underdal, Yardley. Total 11.

House recessed.

House resumed. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

A Legislative Memorial
On the Death of the Late
Ludwig S. "Kes" Rigler

Whereas, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fourth Legislative Assembly of the state of Montana record the passing of former Assistant Sergeant at Arms Ludwig S. "Kes" Rigler, on October 2, 1974 in Helena, Montana, and

Whereas, it is fitting and proper that the outstanding record and accomplishments of the late Assistant Sergeant at Arms Rigler be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Kes Rigler was born December 19, 1906 in East Helena, Montana, the son of John and Mary Putzell Rigler. He attended the old St. Charles High School and Carroll College, from which he graduated in 1932. He married Julia O'Hearn September 18, 1934 in Helena.

He worked for the Montana Liquor Board, and served as assistant manager of the Marlow Theater and East Helena Theater. In 1934, he was appointed postmaster at East Helena, a position he retained until his retirement in 1970. Despite the loss of one of his arms at the elbow as a child, he played for the East Helena Smelterite baseball team in the 1930's and 1940's, and went on to bat .355 one season in a Nebraska professional baseball league. He continued his interest in baseball by subsequently managing teams and scouting for a number of major league teams. (He was acting as a scout for the Milwaukee Brewers when he died.) He was also indirectly responsible for Charlie Pride's rise to musical stardom, as he brought that young man from Georgia to Montana as a baseball player for the East Helena team, and then discovered he could also sing.

Kes was a Democrat, active in Democratic circles, and always willing and happy to help others to win votes in East Helena. His knowledge of both the vital issues of the day and of human nature made him a valuable and vital worker on many campaigns.

He served as a proofreader for the 1971 legislative session in the Senate. In 1973 and 1974 he served as Assistant Sergeant at Arms for the House of Representatives.

He belonged to the Sts. Cyril and Methodius Catholic Church in East Helena, and to the Knights of Columbus.

Survivors include the widow, Julia; mother, Mary Rigler, East Helena; daughter, Mrs. Jean DeGroat, Helena; sons, Rick and John A., Helena; sister, Mrs. Mary Smith, East Helena; eight grandchildren; nieces, nephews, and cousins, and

Whereas, it is with highest regard and respect that we mark Kes as one of the most valued "behind the scenes" members of the legislature. He was a man who always had time to stop and provide help or an answer to every question. Kes was a simple man, a respected man, a man held in affection by all who knew him, and a man who spoke Montana in his very presence.

Now, Therefore, Be it Resolved by the House of Representatives of the State of Montana:

That we hereby express our esteem and respect to the memory of the Honorable Ludwig S. "Kes" Rigler and extend to the members of his family our sincere sympathy in their great and irreparable loss.

Be it Further Resolved, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fourth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-fourth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Assistant Sergeant at Arms Rigler's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Pat McKittrick, Speaker of
the House of Representatives

Harold E. Gerke, Member of the
Memorial Committee

Ed Smith, Chief Clerk of the
House of Representatives

Rex Manuel, Member of the
Memorial Committee

Glenn E. Jacobsen, Member of the
Memorial Committee

April 17, 1975

Representative Pat McKittrick
Speaker of the House of Representatives
Capitol Building
Helena, Montana 59601

Dear Mr. Speaker:

By individual caucus of the members of the Appropriations Committee the following members were selected to serve on the interim Legislative Finance Committee as provided by Senate Bill No. 333.

Representative Art Lund, Representative Jack Moore,
Representative Glenn Jacobsen, Representative Francis
Bardanouve

I hereby appoint these selected members to the Legislative Finance Committee.

Sincerely,

Francis Bardanouve
Representative

REPORTS OF STANDING COMMITTEES

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 278, respectfully report as follows: That House Bill No. 278 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 558, respectfully report as follows: That House Bill No. 558 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 582, respectfully report as follows: That House Bill No. 582 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 686, respectfully report as follows: That House Bill No. 686 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 689, respectfully report as follows: That House Bill No. 689 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 690, respectfully report as follows: That House Bill No. 690 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 693, respectfully report as follows: That House Bill No. 693 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 702, respectfully report as follows: That House Bill No. 702 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 708, respectfully report as follows: That House Bill No. 708 do not pass.

BARDANOUE, Chairman

April 17, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under

consideration House Bill No. 711, respectfully report as follows: That House Bill No. 711 do not pass.

BARDANOUE, Chairman

MESSAGES FROM THE GOVERNOR

April 16, 1975

The Honorable Pat McKittrick
House of Representatives
State Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos. 113, 130, 164, 197, 327, 334, 342, 370, 427, 488, 567, 591, 623 and 643.

Sincerely,

THOMAS L. JUDGE
Governor

April 16, 1975

The Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bills Nos. 29, 124, 198, 230, 265, 316 and 333.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate reconsidered Third Reading action on the Free Conference Committee Report No. 2 on Senate Bill No. 342, and that the Free Conference Committee Report No. 2 was taken from Third Reading and rereferred to the Free Conference Committee.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Free Conference Committee on Senate Bill No. 342, and acceded to the House Amendments to Senate Bill No. 342, and the bill is thereby referred to enrolling.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on committee report failed to concur in House Amendments to Senate Bill No. 54, and that the President was authorized to appoint a Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Bill No. 54.

The President appointed the following members:

Senator Romney, Chairman
Senator Healy
Senator Etchart

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Governor's recommended amendments to Senate Bill No. 246 were this day concurred in and are herewith transmitted to the House for concurrence.

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that the 24 hour rule be suspended and that all adverse committee reports be acted on this day.

Motion failed, requiring a unanimous vote.

Kimble present at this time.

Lien moved that the House reconsider its action of the Eighty-third Legislative Day in failing to pass House Bill No. 714 on Second Reading.

Motion carried.

Meloy moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on Senate Bill No. 54.

Motion carried.

Meloy moved that the Governor's Amendments to Senate Bill No. 246 be placed on Second Reading this day.

Motion carried.

Meloy moved that all business which passes Second Reading this day be placed on Third Reading this day.

Motion carried.

Meloy moved that all conference committee reports read this day be placed on Second Reading this day.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on Senate Bill No. 54: Magone, Chairman, Quilici, and Lockrem.

REPORTS OF STANDING COMMITTEES

April 17, 1975

I have examined House Bill No. 121 introduced by me and find the same to be correct.

FAGG

April 17, 1975

I have examined House Bill No. 218 introduced by me and find the same to be correct.

MENAHAN

April 17, 1975

I have examined House Bill No. 289 introduced by me and find the same to be correct.

BARDANOUE

April 17, 1975

I have examined House Bill No. 516 introduced by me and find the same to be correct.

GUNDERSON

April 17, 1975

I have examined House Bill No. 532 introduced by me and find the same to be correct.

MERCER

April 17, 1975

I have examined House Bill No. 569 introduced by me and find the same to be correct.

LIEN

April 17, 1975

I have examined House Bill No. 581 introduced by me and find the same to be correct.

BARDANOUE

April 17, 1975

I have examined House Bill No. 637 introduced by me and find the same to be correct.

HOLMES

April 17, 1975

I have examined House Bill No. 161 introduced by me and find the same to be correct.

MC KITTRICK

April 17, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 121, 218, 289, 516, 532, 569, 581, 637, 161.

QUILICI, Chairman

April 17, 1975

The following bills will be signed on adjournment on April 17, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 121, 161, 218, 289, 516, 532, 569, 581, 637.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 15, 1975

Joint Conference Committee Report On Senate Amendments to House Bill No. 443

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 443, met April 15, 1975, and considered:

Senate Committee on Labor and Employment Relations Amendments dated March 21, 1975,

Senate Committee of the Whole Amendment dated March 26, 1975, and recommend as follows:

Having had under consideration Senate Committee on Labor and Employment Relations Amendments dated March 21, 1975,

That the House accede to Amendments Nos. 1 and 2,

Having had under consideration Senate Committee of the Whole Amendment dated March 26, 1975,

That the House accede to Amendment No. 1,

And that House Bill No. 443, as so amended, be concurred in.

FOR THE HOUSE:

KIMBLE, Chairman
W. BAETH
SIVERTSEN

Report adopted.

FOR THE SENATE:

LEE, Chairman
MEHRENS
E. SMITH

MOTIONS

Marks moved that the 24 hour rule be suspended and that all adverse committee reports be acted on this day.

Motion failed, requiring a unanimous vote.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Kemmis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 17, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 714 do not pass. (54-43)

That the following Governor's Amendment to Senate Bill No. 246 be concurred in:

1. Amend page 2, section 1, lines 1 and 2.

Strike: "chief of construction regulation bureau"

Insert: "responsible for the administration of Title 69, chapter 21"
(57-12)

That the Committee rise and report and beg leave to sit again.

KEMMIS, Chairman

Report adopted.

MOTIONS

Meloy moved that the 24 hour rule be suspended and that all adverse committee reports be acted on this day.

Motion carried, unanimously.

REPORTS OF STANDING COMMITTEES

The adverse committee report on House Bill No. 139 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Casey, Conroy, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Meloy, Menahan, Mercer, Murphy, O'Connell, Richards, Robbins, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Thomas, Travis, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 68.

Noes: Barrett, Dassinger, Day, Fagg, Gunderson, Hubing, Shelden, Vincent. Total 8.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C. R. Anderson, Brand, Harper, Helmbrecht, Kimble, Lockrem, Lynch, Marks, Jack Moore, James Moore, Mular, Palmer, Quilici, Rasmussen, Scully, South, Teague, Tropila. Total 18.

The adverse committee report on House Bill No. 201 was adopted by the following vote:

Ayes: J. Anderson, Babcock, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Fishbaugh, Fleming, Gilligan, Gould, Guthrie, Gwynn, Hageman, Halvorson, Herlevi, Holmes, Hubing, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Manuel, Meloy, Menahan, Murphy, O'Connell, Richards, Scully, Shelden, Sloan, Smith, Staigmiller, Stoltz, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 60.

Noes: Aageson, R. Baeth, Federico, Gerke, Gunderson, Hager, Huennekens, Johnston, Kropp, McFadden, Magone, Mercer, Robbins, Sivertsen, Teague, Underdal. Total 16.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C. R. Anderson, Bradley, Brand, Fabrega, Harper, Helmbrecht, Kimble, Lockrem, Lynch, Marks, Jack Moore, James Moore, Mular, Palmer, Quilici, Rasmussen, South, Wyrick. Total 18.

The adverse committee report on House Bill No. 278 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Menahan, Mercer, James Moore, Murphy, O'Connell, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Mular, Teague. Total 2.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C. R. Anderson, Brand, Harper, Helmbrecht, Kimble, Lockrem, Lynch, Marks, Meloy, Jack Moore, Palmer, Quilici, Rasmussen, South, Tropila. Total 15.

The adverse committee report on House Bill No. 558 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Holmes, Hubing, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 75.

Noes: Mular, Richards, Teague. Total 3.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C. R. Anderson, Brand, Harper, Helmbrecht,

Huennekens, Kimble, Lockrem, Lynch, Marks, Meloy, Palmer, Quilici, Rasmussen, South, Thomas, Tropila. Total 16.

The adverse committee report on House Bill No. 582 was adopted by the following vote:

Ayes: J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lien, Lory, Luebeck, Lund, Magone, Manuel, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Richards, Scully, Shelden, Sloan, Staigmillier, Stoltz, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 67.

Noes: Aageson, Barrett, Casey, Day, Ellison, Kvaalen, Lockrem, McFadden, Menahan, Robbins, Sivertsen, Smith, Teague, Wyrick. Total 14.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C. R. Anderson, Brand, Gunderson, Helmbrecht, Kelly, Lynch, Marks, Meloy, Palmer, Quilici, Rasmussen, South, Thomas. Total 13.

The adverse committee report on House Bill No. 686 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Day, Driscoll, Ellis, Ellison, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Johnson, Johnston, Kanduch, Kemmis, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lory, Lund, Magone, Menahan, Mercer, Jack Moore, James Moore, Shelden, Sivertsen, Smith, Staigmillier, Thomas, Travis, Underdal, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 59.

Noes: Bradley, Dussault, Fagg, Gilligan, Huennekens, Kelly, Kendall, Lester, Luebeck, McFadden, Manuel, Mular, Murphy, O'Connell, Richards, Robbins, Scully, Sloan, Stoltz, Teague, Tropila, Vincent, Wyrick. Total 23.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C.R. Anderson, Brand, Dassinger, Gunderson, Helmbrecht, Lynch, Marks, Meloy, Palmer, Quilici, Rasmussen, South. Total 12.

The adverse committee report on House Bill No. 689 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Babcock, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Driscoll, Dussault, Ellis, Fagg, Federico, Fishbaugh, Fleming, Gilligan, Gould, Gwynn, Hageman, Halvorson, Harper, Herlevi, Hubing, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Manuel, Menahan, Jack Moore, James Moore, Murphy, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmillier, Stoltz, Thomas, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 56.

Noes: R. Baeth, Bengtson, Casey, Conroy, Day, Ellison, Fabrega, Gerke,

Guthrie, Hager, Holmes, Huennekens, Johnston, Kelly, Kropp, Lockrem, McFadden, Magone, Mercer, Mular, O'Connell, Robbins, Teague, Travis, Tropila, Underdal, Wyrick. Total 27.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C.R. Anderson, Brand, Dassinger, Gunderson, Helmbrecht, Lynch, Marks, Meloy, Palmer, Quilici, South. Total 11.

The adverse committee report on House Bill No. 690 was adopted by the following vote:

Ayes: J. Anderson, W. Baeth, Bardanoue, Barrett, Bertelsen, Bradley, Casey, Dassinger, Driscoll, Dussault, Ellis, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gwynn, Hageman, Halvorson, Harper, Herlevi, Hubing, Johnson, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Manuel, Menahan, Jack Moore, Murphy, Rasmussen, Richards, Scully, Shelden, Sloan, Smith, Staigmiller, Stoltz, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 58.

Noes: Aageson, Babcock, R. Baeth, Bengtson, Conroy, Day, Fabrega, Guthrie, Hager, Holmes, Huennekens, Johnston, Kelly, McFadden, Magone, Mercer, Mular, O'Connell, Robbins, Sivertsen, Teague, Travis, Tropila, Wyrick. Total 24.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C.R. Anderson, Brand, Ellison, Gunderson, Helmbrecht, Lynch, Marks, Meloy, James Moore, Palmer, Quilici, South. Total 12.

The adverse committee report on House Bill No. 693 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanoue, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, James Moore, O'Connell, Rasmussen, Richards, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmiller, Stoltz, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Barrett, Johnston, Mular, Murphy, Robbins, Teague. Total 6.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C.R. Anderson, Brand, Federico, Gunderson, Helmbrecht, Lynch, Marks, Meloy, Palmer, Quilici, South. Total 11.

The adverse committee report on House Bill No. 702 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hageman, Halvorson, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Magone, Manuel, Mercer, Jack Moore,

James Moore, O'Connell, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Staigmillar, Stoltz, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 74.

Noes: Brand, Harper, Kelly, McFadden, Menahan, Mular, Murphy, Smith, Teague, Tropila. Total 10.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C.R. Anderson, Gunderson, Hager, Helmbrecht, Lynch, Marks, Meloy, Palmer, Quilici, South. Total 10.

The adverse committee report on House Bill No. 708 was adopted by the following vote:

Ayes: Aageson, J. Anderson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Dassingier, Day, Driscoll, Ellis, Ellison, Fagg, Fleming, Gerke, Gould, Gwynn, Hageman, Hager, Halvorson, Herlevi, Hubing, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lockrem, Lory, Luebeck, Lund, Magone, Menahan, Mercer, James Moore, Rasmussen, Richards, Scully, Smith, Thomas, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 53.

Noes: Babcock, Bradley, Dussault, Fabrega, Federico, Fishbaugh, Gilligan, Guthrie, Harper, Holmes, Huennekens, Johnson, Kropp, Lester, McFadden, Manuel, Jack Moore, Mular, Murphy, O'Connell, Robbins, Shelden, Sivertsen, Sloan, Staigmillar, Stoltz, Teague, Travis, Tropila, Vincent. Total 30.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C.R. Anderson, Conroy, Gunderson, Helmbrecht, Lien, Lynch, Marks, Meloy, Palmer, Quilici, South. Total 11.

The adverse committee report on House Bill No. 711 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassingier, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Hageman, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lockrem, Lory, Lund, McFadden, Magone, Manuel, Menahan, Mercer, Jack Moore, Murphy, O'Connell, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Smith, Staigmillar, Stoltz, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 77.

Noes: Luebeck, Mular, Teague, Travis. Total 4.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C.R. Anderson, Gunderson, Gwynn, Hager, Helmbrecht, Lien, Lynch, Marks, Meloy, James Moore, Palmer, Quilici, South. Total 13.

April 17, 1975

I have examined House Bill No. 622 introduced by me and find the same to be correct.

KIMBLE

April 17, 1975

Mr. Speaker: The Committee on Bills reports the following bill correctly enrolled: House Bill No. 622.

QUILICI, Chairman

April 17, 1975

The following bill will be signed on adjournment on April 17, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 622.

Edwin A. Smith, Chief Clerk
House of Representatives

April 15, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be terminated by the House of Representatives for the Forty-fourth Session at the close of business April 5, 1975:

Jeanne UdemPage

At the beginning of business April 14, 1975, the following also be employed:

Shauna KottasPage

Veronica FlanaganPage

At the close of business April 12, 1975, the following also be terminated:

Kathy KielyStenographer

At the close of business April 16, 1975, the following also be terminated:

Lauri PetersonCommittee Secretary

At the close of business April 17, 1975, the following also be terminated:

Rachel AagesonHead Guide

We also recommend that Margo Voermans be reclassified from Stenographer to Committee Secretary, effective April 12, 1975.

LYNCH, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

April 16, 1975

Free Joint Conference Committee Report No. 2 On House Bill No. 633

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 633, met April 16, 1975, and considered:

Senate Committee on Judiciary Amendments dated March 26, 1975,

Senate Committee of the Whole Amendments dated March 29, 1975,
and

recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 26, 1975,

That the House accede to Amendments Nos. 1 through 5, 7, 9, 11, 17, and 19 through 31,

And further that the Senate recede from Amendments Nos. 6, 8, 10, 12 through 16, and 18,

And further that House Bill No. 633, Third Reading bill, be amended as follows:

6. Amend page 8, section 3, subsection (2)(b), line 1.

Following: "origin"

Insert: "except when the distinction is based on reasonable grounds"

8. Amend page 8, section 3, subsection (3)(a), line 10.

Following: "origin"

Insert: "except when the distinction is based on reasonable grounds"

10. Amend page 8, section 3, subsection (3)(b), line 17.

Following: "property"

Insert: ", except when the distinction is based on reasonable grounds"

12. Amend page 8, section 3, subsection (3)(c), line 24.

Following: "property"

Insert: ", except when the distinction is based on reasonable grounds"

16. Amend page 11, section 3, subsection (6)(a), line 2.

Following: "mental handicap"

Insert: "unless based on reasonable grounds"

Having had under consideration Senate Committee of the Whole Amendments dated March 29, 1975,

That the Senate recede from Amendment No. 1,

And further that the House accede to Amendments Nos. 2 and 3,

Having further considered House Bill No. 633, the Free Joint Conference Committee further recommends:

That House Bill No. 633, reference bill, be amended as follows:

1. Amend page 7, section 3, subsection (2)(a), line 21.

Following: "origin"

Insert: "unless based on reasonable grounds"

2. Amend page 9, section 3, subsection (4), line 24.

Following: "assistance"

Insert: "unless based on reasonable grounds"

3. Amend page 10, section 3, subsection (5)(a), line 6.

Following: "origin"

Insert: "unless based on reasonable grounds"

4. Amend page 10, section 3, subsection (5)(b), line 18.

Following: "solicited"

Insert: "unless based on reasonable grounds"

5. Amend page 12, section 3, following line 17.

Insert: a new subsection as follows:

"(8) Any grounds urged as a 'reasonable' basis for an exemption under any section of this act shall be strictly construed."

6. Amend page 12, section 4, lines 21 and 22.

Following: "64-306"

Strike: "(2), (3), or (6),"

And that House Bill No. 633, as so amended, be concurred in.

FOR THE HOUSE:

JIM MOORE, Chairman
TROPILA
WOOD

FOR THE SENATE:

TOWE, Chairman
REGAN
DRAKE

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 7, introduced by Bardanouve, Lynch, Lund: A Resolution of the House of Representatives of the State of Montana directing the legislative fiscal analyst to prepare a pay plan for legislative officers and attaches for consideration by the Forty-fifth Legislature. Referred to Committee on Legislative Administration.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Kemmis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 17, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on House Bill No. 443 be passed to the bottom of the board.

That the Conference Committee Report on House Bill No. 633 be adopted. (69-5)

That the Conference Committee Report on House Bill No. 443 be adopted. (69-6)

That the Committee rise and report and beg leave to sit again.

KEMMIS, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Governor's Amendments to Senate Bill No. 246 were concurred in by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp,

Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Yardley, Mr. Speaker. Total 74.

Noes: Casey, Ellison, Hubing, Johnston, Lund, Underdal, Wyrick. Total 7.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C. R. Anderson, W. Baeth, Barrett, Bengtson, Day, Fagg, Helmbrecht, Lynch, James Moore, Quilici, Smith, South, Staigmillier. Total 13.

The Free Conference Committee Report on House Bill No. 633 was adopted by the following vote:

Ayes: Aageson, J. Anderson, R. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sloan, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 80.

Noes: Travis. Total 1.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C. R. Anderson, Babcock, W. Baeth, Barrett, Day, Fagg, Helmbrecht, Huennekens, James Moore, Sivertsen, Smith, South, Staigmillier. Total 13.

The Conference Committee Report on House Bill No. 443 was adopted by the following vote:

Ayes: Aageson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Herlevi, Holmes, Hubing, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Scully, Shelden, Sivertsen, Sloan, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 85.

Noes: None.

Excused: Asher, Ellerd, Finley, Jacobsen, Schye, Seifert. Total 6.

Absent or not voting: C. R. Anderson, Day, Fagg, Fishbaugh, Hageman, Helmbrecht, James Moore, Smith, South. Total 9.

House recessed.

House resumed at 5:00 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

April 17, 1975

I have examined House Bill No. 265 introduced by me and find the same to be correct.

BARDANOUVE

April 17, 1975

I have examined House Resolution No. 4 introduced by me and find the same to be correct.

HARPER

April 17, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution correctly enrolled: House Bill No. 265, House Resolution No. 4.

QUILICI, Chairman

April 17, 1975

The following bill and resolution will be signed on adjournment on April 17, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 265, House Resolution No. 4.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 17, 1975

Free Joint Conference Committee Report No. 2
On House Bill No. 269

Mr. President and Speaker of the House:

We, your Free Conference Committee on House Bill No. 269, met April 17, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1 through 12, 14, 15, 17 through 22, 26, 29 through 38, 40, 41, 42, 44 through 64, 67 through 108, 110 through 126, 128 through 144, 146 through 165, 167, and 168,

And further that the Senate recede from Amendments Nos. 13, 16, 23, 24, 25, 27, 28, 39, 43, 65, 66, 109, 127, 145, 166, and 169.

And further that House Bill No. 269, Third Reading bill, be amended as follows:

13. Amend page 8, line 13.

Strike: "14,020,337

Insert: "13,713,062

14,195,310"

13,886,959"

16. Amend page 8, line 23.

Strike: " 300,000	300,000"
Insert: " 604,830	600,915"
23. Amend page 9, line 22.	
Strike: " 279,268	299,196"
Insert: " 299,830	318,149"
24. Amend page 9, line 25.	
Strike: " 324,862	343,518"
Insert: " 350,779	379,092"
25. Amend page 10, line 6.	
Strike: " 166,951	177,704"
Insert: " 174,237	181,081"
27. Amend page 10, line 14.	
Strike: " 221,786	237,436"
Insert: " 220,769	235,794"
28. Amend page 10, line 16.	
Strike: " 1,514,541	1,580,084"
Insert: " 1,566,959	1,634,555"
39. Amend page 11, line 18.	
Strike: " 1,010,262	1,087,253"
Insert: " 1,028,329	1,093,239"
43. Amend page 11, line 24.	
Strike: " 2,138,033	2,292,538"
Insert: " 2,227,814	2,359,301"
65. Amend page 15, line 14.	
Strike: " 32,479	34,527"
Insert: " 34,692	34,847"
66. Amend page 15, line 20.	
Strike: " 32,479	34,527"
Insert: " 43,692	43,847"
109. Amend page 20, line 21.	
Strike: " 356,351	459,940"
Insert: " 517,174	592,549"
127. Amend page 23, line 4.	
Strike: " 5,906,995	5,844,967"
Insert: " 5,999,623	5,908,430"
145. Amend page 25, line 17.	
Strike: " 976,729	1,026,808"
Insert: " 1,096,445	1,141,303"
166. Amend page 28, line 23.	
Strike: " 53,333	53,333"
Insert: " 101,546	120,553"
169. Amend page 29, line 6.	
Strike: "37,310,692	41,333,386"
Insert: "38,577,424	42,338,244"

Having had under consideration Senate Committee of the Whole Amendments dated April 10, 1975,

That the House accede to Amendments Nos. 1, 3, and 4,

And further that the Senate recede from Amendment No. 2,

And that House Bill No. 269, as so amended, be concurred in.

FOR THE HOUSE:

ROBBINS, Chairman
RICHARDS

FOR THE SENATE:

FLYNN, Chairman
HIMSL
ROBERTS

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Free Conference Committee on House Bill No. 712, and the President was authorized to appoint a Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Bill No. 712.

The President appointed the following members:

Senator Thiessen, Chairman
Senator Lynch
Senator Etchart

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the Free Conference Committee on House Bill No. 712 be dissolved and that the Speaker be authorized to appoint a new free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 712.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 712: South, Chairman, Lynch, and Hubing.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Kemmis in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 17, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on House Bill No. 269 be not adopted. (65-24)

That the Committee rise and report.

KEMMIS, Chairman

Report adopted.

MOTIONS

Jack Moore moved that the Conference Committee on House Bill No. 269 be dissolved and that the Speaker be authorized to appoint a new free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 269.

Motion carried.

Vincent moved that the Speaker be authorized to appoint a free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 666.

Motion carried.

Meloy moved that the Free Conference Committee on House Bill No. 684 be dissolved and that the Senate Amendments to House Bill No. 684 be placed on Second Reading on the Eighty-fifth Legislative Day.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 269: Robbins, Chairman, Richards, and Jack Moore.

The Speaker appointed the following free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 666: Meloy, Chairman, Vincent and Fagg.

Driscoll moved that the House adjourn until 9:00 a.m., April 18, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 18, 1975

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asher, Ellerd, Finley, and Lund, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eighty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

April 18, 1975

The following bills and resolution will be signed at recess on April 18, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 5, 135, 192, 401, 405, Senate Joint Resolution No. 33.

Edwin A. Smith, Chief Clerk
House of Representatives

April 18, 1975

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on April 17, 1975: House Bills Nos. 121, 218, 265, 289, 516, 532, 569, 581, 622, 637, 161, House Resolution No. 4, Senate Joint Resolutions Nos. 31, 32.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 17, 1975
(corrected copy)

Free Joint Conference Committee Report No. 2
On House Bill No. 285

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 285, met April 17, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1 through 38, and 43 through 45,

And further that the Senate recede from Amendments Nos. 39 through 42,

And further that House Bill No. 285, Third Reading bill, be amended as follows:

39. Amend page 11, section 10, line 10 through page 12, line 7.

Strike: lines 10 through 25 on page 11 and lines 1 through 7 on page 12 in their entirety.

Insert: "Department of Administration

Educational television program

From the general fund 154,000

The above appropriation is intended to provide for the payment of all costs incident to ceasing operation of the educational broadcasting commission created by chapter 215, Laws of 1974, effective June 30, 1975. No appropriation is made for payments to satisfy any lease executed by the educational broadcasting commission.

All funds received from the sale of assets of the commission shall revert to the general fund."

Having had under consideration Senate Committee of the Whole Amendments dated April 10, 1975,

That the House accede to Amendments Nos. 1 through 6,

And further that the Senate recede from Amendments Nos. 7 through 10,

And that House Bill No. 285, as so amended, be concurred in.

FOR THE HOUSE:

GUNDERSON
JACK MOORE

Report adopted.

FOR THE SENATE:

THIESSEN
HIMSL

MESSAGES FROM THE OTHER HOUSE

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 272, introduced by Bardanouve

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 407, requiring adoption by an affirmative roll call vote of two-

thirds of all the members of the legislature, was this day read three several times, and received a two-thirds affirmative vote of the Senate, and is herewith transmitted to the House for concurrence with the following vote:

SENATE

YEAS - 43

NAYS - 3

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee Report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on House Bill No. 286

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 73, and the President was authorized to appoint a Free Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Bill No. 73.

The President appointed the following members:

Senator Roberts, Chairman
Senator Greely
Senator Stephens

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on Committee of the Whole failed to concur in Governor's Amendments to House Bill No. 666, and the President was authorized to appoint a Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Bill No. 666.

The President appointed the following members:

Senator Flynn, Chairman

Senator Jergeson
Senator Roskie

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee Report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on House Bill No. 633

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 17, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee Report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 3 on House Bill No. 269

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate on April 11, 1975 failed to concur in the Free Conference Committee Report on House Bill No. 586 on Committee of the Whole, report adopted, and that the Senate this day on motion, duly carried, dissolved the Free Conference Committee, and authorized the President to appoint a Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Bill No. 586.

The President appointed the following members:

Senator Greely, Chairman
Senator Seibel
Senator Drake

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that the rules be suspended to allow the acceptance of Senate Bill No. 407.

Motion carried unanimously.

Meloy moved that all House Bills, Senate Bills, Senate Amendments and Conference Committee reports which pass Second Reading this day be placed on Third Reading this day.

Motion carried.

Halvorson moved that Senate Bill No. 407 be placed on Second Reading for consideration this day.

Motion carried.

SECOND READING OF BILLS

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

O'Connell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 18, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 407 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 684 be concurred in. (71-0)

That Senate Amendments to House Bill No. 272 be concurred in. (81-0)

That Conference Committee Report on House Bill No. 285 be adopted. (57-40)

That the Committee rise and report and beg leave to sit again.

O'CONNELL, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

April 17, 1975

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Resolution No. 7, respectfully report as follows: That House Resolution No. 7 be adopted.

LYNCH, Chairman

MESSAGES FROM THE OTHER HOUSE

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 269.

The President appointed the following members:

Senator Flynn, Chairman

Senator Roberts
Senator Himsl

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Free Conference Committee on House Bill No. 684.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 16, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 254, as amended, requiring adoption by an affirmative roll call vote of three-fifths of the members of each House of the Legislature, was this day read three several times, and received a three-fifths affirmative vote of the Senate, and is herewith returned to the House for concurrence in Senate Amendments with the following vote:

SENATE

YEAS - 33

NAYS - 13

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that House Resolution No. 7 be placed on Second Reading this day.

Motion carried.

Meloy moved that the Conference Committee on House Bill No. 73 be changed to a free joint conference committee.

Motion carried.

Meloy moved that the Conference Committee on House Bill No. 586 be dissolved and that the Speaker be authorized to appoint a new free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 586.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 684 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Teague, Thomas, Travis, Underdal, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 82.

Noes: Bradley, Dussault, Johnson, Stoltz, Vincent. Total 5.

Excused: Asher, Ellerd, Finley, Lund. Total 4.

Absent or not voting: Bengtson, Gerke, Lockrem, Lory, Jack Moore, James Moore, Scully, Sivertsen, Tropila. Total 9.

Senate Amendments to House Bill No. 272 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Day, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Asher, Ellerd, Finley, Lund. Total 4.

Absent or not voting: Dassinger, Driscoll, Gerke, Lockrem, Lory, Jack Moore, James Moore, Scully, Sivertsen, Tropila. Total 10.

The Free Conference Committee Report on House Bill No. 285 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Day, Ellerd, Ellis, Ellison, Fabrega, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Herlevi, Hubing, Jacobsen, Johnston, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lien, Lockrem, Lund, McFadden, Magone, Marks, Mercer, Jack Moore, Mular, O'Connell, Rasmussen, Schye, Seifert, Shelden, Sivertsen, Staigmiller, Underdal, Williams, Wood, Wyrick. Total 55.

Noes: Bradley, Driscoll, Dussault, Fagg, Federico, Fishbaugh, Fleming, Gunderson, Hageman, Harper, Helmbrecht, Holmes, Huennekens, Johnson, Kanduch, Kelly, Kemmis, Lester, Luebeck, Lynch, Manuel, Meloy, Menahan, Murphy, Palmer, Quilici, Richards, Robbins, Sloan, South, Stoltz, Teague, Thomas, Travis, Vincent, Wolfe, Yardley, Mr. Speaker. Total 38.

Paired: Asher, Ellerd, Lockrem, Lund, Jack Moore, Ayes; Dussault, Holmes, Richards, Robbins, Yardley, Noes.

Excused: Finley. Total 1.

Absent or not voting: Gerke, Lory, James Moore, Scully, Smith, Tropila. Total 6.

UNFINISHED BUSINESS

The Speaker appointed the following new free joint conference committee of three to meet with a like committee of the Senate to confer on House Bill No. 586: Huennekens, Chairman, Meloy, and Babcock.

House recessed.

House resumed at 1:00 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

April 18, 1975

I have examined House Bill No. 663 introduced by me and find the same to be correct.

KEMMIS

April 18, 1975

I have examined House Bill No. 453 introduced by me and find the same to be correct.

STOLTZ

April 18, 1975

I have examined House Bill No. 642 introduced by me and find the same to be correct.

DRISCOLL

April 18, 1975

I have examined House Bill No. 557 introduced by me and find the same to be correct.

DRISCOLL

April 18, 1975

I have examined House Bill No. 401 introduced by me and find the same to be correct.

HAGER

April 18, 1975

I have examined House Bill No. 426 introduced by me and find the same to be correct.

KIMBLE

April 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 401, 426, 453, 557, 642, 663.

QUILICI, Chairman

April 18, 1975

The following bills will be signed at 1:30 p.m. on April 18, 1975, in

the office of the Speaker of the House of Representatives: House Bills Nos. 401, 426, 453, 557, 642, 663.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 18, 1975

Free Joint Conference Committee Report No. 2
On House Bill No. 586

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 586, met April 18, 1975, and considered Senate Committee on Judiciary Amendment dated March 18, 1975, and recommend as follows:

That the Senate recede from Amendment No. 1,

Having further considered House Bill No. 586, the Free Joint Conference Committee further recommends:

That House Bill No. 586, Third Reading bill, be amended as follows:

1. Amend title, page 1, line 6.

Following: "of"

Strike: "marijuana"

Insert: "dangerous drugs"

2. Amend page 1, section 1, subsection (1), line 14.

Following: "sell"

Strike: "one kilogram or more of marijuana"

Insert: "any dangerous drug as defined in section 54-301. No person commits the offense of criminal possession with intent to sell marijuana unless he possesses one kilogram or more."

3. Amend page 1, section 1, following line 18.

Insert: a new subsection as follows:

"(3) Practitioners and agents under their supervision acting in the course of a professional practice as defined by section 54-301 are exempt from this section."

And that House Bill No. 586, as so amended, be concurred in.

FOR THE HOUSE:

HUENNEKENS, Chairman
MELOY
BABCOCK

FOR THE SENATE:

GREELY, Chairman
DRAKE
SEIBEL

Report adopted.

April 18, 1975

Free Joint Conference Committee Report No. 4
On House Bill No. 269

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 269, met April 18, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 9, 1975,

Senate Committee of the Whole Amendments dated April 10, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 9, 1975,

That the House accede to Amendments Nos. 1 through 12, 14, 15, 17 through 22, 26, 29 through 38, 40, 41, 42, 44 through 64, 67 through 108, 110 through 126, 128 through 134, 136 through 144, 146 through 165, 167, and 168,

And further that the Senate recede from Amendments Nos. 13, 16, 23, 24, 25, 27, 28, 39, 43, 65, 66, 109, 127, 135, 145, 166, and 169.

And further that House Bill No. 269, Third Reading bill, be amended as follows:

13. Amend page 8, line 13.		
Strike:	"14,020,337	14,195,310"
Insert:	"13,663,062	13,836,959"
16. Amend page 8, line 23.		
Strike:	"300,000	300,000"
Insert:	"654,830	650,915"
23. Amend page 9, line 22.		
Strike:	"279,268	299,196"
Insert:	"299,830	318,149"
24. Amend page 9, line 25.		
Strike:	"324,862	343,518"
Insert:	"350,779	379,092"
25. Amend page 10, line 6.		
Strike:	"166,951	177,704"
Insert:	"174,237	181,081"
27. Amend page 10, line 14.		
Strike:	"221,786	237,436"
Insert:	"220,769	235,794"
28. Amend page 10, line 16.		
Strike:	"1,514,541	1,580,084"
Insert:	"1,566,959	1,634,555"
39. Amend page 11, line 18.		
Strike:	"1,010,262	1,087,253"
Insert:	"1,028,329	1,093,239"
43. Amend page 11, line 24.		
Strike:	"2,138,033	2,292,538"
Insert:	"2,227,814	2,359,301"
65. Amend page 15, line 14.		
Strike:	"32,479	34,527"
Insert:	"34,692	34,847"
66. Amend page 15, line 20.		
Strike:	"32,479	34,527"
Insert:	"43,692	43,847"
109. Amend page 20, line 21.		
Strike:	"356,351	459,940"

Insert: "517,174 592,549"

127. Amend page 23, line 4.

Strike: "5,906,995 5,844,967"

Insert: "5,999,623 5,908,430"

135. Amend page 23, line 22.

Strike: "738,074 789,732"

Insert: "816,153 775,113"

145. Amend page 25, line 17.

Strike: "976,729 1,026,808"

Insert: "1,096,445 1,141,303"

166. Amend page 28, line 23.

Strike: "53,333 53,333"

Insert: "101,546 120,553"

169. Amend page 29, line 6.

Strike: "37,310,692 41,333,386"

Insert: "38,577,424 42,338,244"

Having had under consideration Senate Committee of the Whole Amendments dated April 10, 1975,

That the House accede to Amendments Nos. 1, 3, and 4,

And further that the Senate recede from Amendment No. 2,

Having further considered House Bill No. 269, the Free Joint Conference Committee further recommends:

That House Bill No. 269, Third Reading bill, be amended as follows:

1. Amend page 23, following line 17.

Insert: "From the general fund for security guards 29,500"

2. Amend page 23, following line 20.

Insert: "From the federal and private revenue fund
04521 National guard FPRA
for security guards 66,064"

3. Amend page 29, following line 6.

Insert: "Mental disabilities board of visitors from the general fund

30,000 30,000

Total

30,000 30,000"

And that House Bill No. 269, as so amended, be concurred in.

FOR THE HOUSE:

ROBBINS, Chairman
RICHARDS
JACK MOORE

FOR THE SENATE:

FLYNN, Chairman
ROBERTS

Report adopted.

April 17, 1975

Free Joint Conference Committee Report
On Senate Bill No. 54

We, your Free Joint Conference Committee met April 17, 1975, and considered House Committee on Appropriations Amendments dated April 15, 1975, to Senate Bill No. 54, and recommend as follows:

That the Senate accede to Amendment No. 1,

And further that Senate Bill No. 54, reference bill, be amended as follows:

1. Amend page 1, section 1, line 17.

Following: "payments"

Insert: "; provided however, a person is not eligible for these payments if her taxable income is sixty-eight hundred dollars (\$6,800) or more per year"

And that Senate Bill No. 54, as so amended, be concurred in.

FOR THE SENATE:

ROMNEY, Chairman
HEALY

FOR THE HOUSE:

MAGONE, Chairman
QUILICI
LOCKREM

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

O'Connell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 18, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Senate Amendments to House Bill No. 254 be concurred in. (69-11)

That the Conference Committee Report on House Bill No. 586 be adopted. (81-4)

That Senate Bill No. 407 be amended as follows:

1. Amend page 1, section 1, line 21.

Following: "dedicate"

Strike: "a portion"

Insert: "not less than one-fourth (1/4) of" (76-6)

And be further amended:

2. Amend page 1, section 1, line 23 through page 2, line 1.

Following: "appropriated"

Strike: "only for such projects and programs that benefit the people of the state of Montana as may be approved by three-fifths (3/5) of all the members of each house of the legislature" (78-4)

And be further amended:

3. Amend page 2, section 1, lines 2 through 4.

Following: "unless"

Strike: "a project or program that provides lasting benefits to the people of the state of Montana is approved by three-fourths ($\frac{3}{4}$) of all"

Insert: "appropriated by vote of three-fourths ($\frac{3}{4}$) of" (76-5)

And as amended, be concurred in. (85-8)

That House Resolution No. 7 be adopted. (87-0)

That the Conference Committee Report on House Bill No. 269 be passed to the bottom of the board.

That the Free Conference Committee Report on Senate Bill No. 54 be adopted. (82-0)

That the Conference Committee Report on House Bill No. 269 be adopted. (74-19)

That the Committee rise and report and beg leave to sit again.

O'CONNELL, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 254 were concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Manuel, Marks, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 84.

Noes: W. Baeth, Brand, Fabrega, Magone, Jack Moore, Seifert, Underdal. Total 7.

Excused: Asher, Ellerd, Finley, Lund. Total 4.

Absent or not voting: Babcock, Dassinger, Day, Mercer, Scully. Total 5.

The Free Conference Committee Report on House Bill No. 586 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert,

Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 93.

Noes: Brand, Travis. Total 2.

Excused: Asher, Ellerd, Finley, Lund. Total 4.

Absent or not voting: Scully. Total 1.

Senate Bill No. 407 was concurred in by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Lester, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Mercer, Jack Moore, James Moore, Mular, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sloan, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wyrick, Mr. Speaker. Total 84.

Noes: Bardanouve, Conroy, Hager, Kvaalen, Lien, Murphy, Sivertsen, Smith, Wood, Yardley. Total 10.

Excused: Asher, Ellerd, Finley, Lund. Total 4.

Absent or not voting: Menahan, Scully. Total 2.

The Free Conference Committee Report on Senate Bill No. 54 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmilller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Asher, Ellerd, Finley, Lund. Total 4.

Absent or not voting: Scully. Total 1.

The Conference Committee Report on House Bill No. 269 was adopted by the following vote:

Ayes: Aageson, J. Anderson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lien, Lory, Luebeck,

Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Shelden, Sloan, South, Staigmillier, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Mr. Speaker. Total 75.

Noes: C. R. Anderson, Babcock, Bardanouve, Brand, Ellison, Gerke, Helmbrecht, Hubing, Kimble, Kropp, Kvaalen, Lockrem, Schye, Seifert, Sivertsen, Smith, Wood, Wyrick, Yardley. Total 19.

Excused: Asher, Ellerd, Finley, Lund. Total 4.

Absent or not voting: Meloy, Scully. Total 2.

House recessed.

House resumed at 4:00 p.m. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

April 18, 1975

Pat McKittrick
Speaker of the House
Capitol Building
Helena, Montana

Dear Speaker McKittrick:

Pursuant to Section 15, Senate Bill No. 87, I have appointed from the House Taxation Committee the following people to be members of the Select Interim Committee to review coal taxation:

Ora J. Halvorson - D
Daniel Kemmis - D
Harrison Fagg - R
W. Jay Fabrega - R

Yours very truly,

Dan Yardley
Representative

April 18, 1975

To: Speaker of the House Pat McKittrick

From: Representative Arthur Shelden

Mr. Speaker:

I have appointed the following representatives to the committee on the study requested in Senate Joint Resolution No. 6 — alternative sales of liquor and wines:

Representative Aageson
Representative Quilici
Representative Fagg
Representative Shelden

I have also appointed the following representatives to the committee on the study requested in Senate Joint Resolution No. 29:

Representative Wolfe
Representative Wood

Sincerely,

Arthur Shelden
Representative

REPORTS OF STANDING COMMITTEES

April 18, 1975

I have examined House Bill No. 264 introduced by me and find the same to be correct.

BARDANOUE

April 18, 1975

I have examined House Bill No. 341 introduced by me and find the same to be correct.

SHELDEN

April 18, 1975

I have examined House Bill No. 648 introduced by me and find the same to be correct.

LYNCH

April 18, 1975

I have examined House Bill No. 715 introduced by me and find the same to be correct.

BARDANOUE

April 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 264, 648, 715, 341.

QUILICI, Chairman

April 18, 1975

The following bills will be signed at 4:15 p.m. on April 18, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 264, 648, 715, 341.

Edwin A. Smith, Chief Clerk
House of Representatives

April 18, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on April 18, 1975: Senate Bills Nos. 5, 135, 192, 401, 405, Senate Joint Resolution No. 33.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 18, 1975

Free Joint Conference Committee Report
On House Bill No. 27

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 27, met April 18, 1975, and considered Senate Committee on Judiciary Amendments dated March 25, 1975, and recommend as follows:

That the Senate recede from Amendments Nos. 1, 3, 4, and 6 through 8,

And further that House Bill No. 27, Third Reading bill, be amended as follows:

3. Amend page 6, section 7, line 15.

Following: "and"

Strike: "ten thousand dollars (\$10,000)"

Insert: "five thousand dollars (\$5,000)"

4. Amend page 10, section 8, line 5.

Following: "insurance"

Insert: "— highway patrol or local law enforcement officers may obtain registration and license plates"

6. Amend page 10, section 8, following line 19.

Insert: "(4) The Montana highway patrol or local law enforcement officers may obtain physical possession of motor vehicle registration certificates and motor vehicle license plates for any motor vehicle not insured hereunder."

And further that the House accede to Amendments Nos. 2 and 5,

Having further considered House Bill No. 27, the Free Joint Conference Committee further recommends:

That House Bill No. 27, reference bill, be amended as follows:

1. Amend page 5, section 6, lines 8 through 20.

Strike: section 6 in its entirety and renumber subsequent sections.

2. Amend page 8, present section 7, subsection (5)(c), line 10.

Following: "policy"

Insert: "with the agreement of the insured"

3. Amend page 9, present section 7, subsection (8), lines 12 through 16.

Strike: subsection (8) in its entirety and renumber subsequent subsections.

4. Amend page 18, present section 18, line 24.

Following: "in [section 53-422]"

Strike: "Title 53"

Insert: "section 6 of this act"

And that House Bill No. 27, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE HOUSE:

JIM MOORE, Chairman
SCULLY
LORY

FOR THE SENATE:

LYNCH, Chairman
WARDEN

Report adopted.

April 18, 1975

Free Joint Conference Committee Report No. 2
On Senate Amendments to House Bill No. 712

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 712, met April 18, 1975, and considered:

Senate Committee on Finance and Claims Amendments dated April 12, 1975,

Senate Committee of the Whole Amendments dated April 14, 1975, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 12, 1975,

That the Senate recede from Amendment No. 1,

And further that House Bill No. 712 be amended as follows:

1. Amend page 9, section 8, line 6.

Strike: "8,335,353"

Insert: "6,029,072"

And further that the House accede to Amendments Nos. 2 and 3,

Having had under consideration Senate Committee of the Whole Amendments dated April 14, 1975,

That the House accede to Amendments Nos. 1 and 2,

And further that the Senate recede from Amendment No. 3,

Having further considered House Bill No. 712, the Free Joint Conference Committee further recommends:

That House Bill No. 712, reference bill, be amended as follows:

1. Amend page 6, section 7, following line 25. Insert: "To supplement the appropriation in Senate Bill No. 531, forty-third legislature 155,000"

And that House Bill No. 712, as so amended, be concurred in.

FOR THE HOUSE:

FOR THE SENATE:

SOUTH, Chairman

LYNCH

HUBING

LYNCH

ETCHART

Report adopted.

April 18, 1975

Free Joint Conference Committee Report
On Senate Bill No. 175

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Amendments to Senate Bill No. 175, met April 18, 1975, and considered:

House Committee on Natural Resources Amendments dated March 22 (printed amendments of March 20), 1975,

House Committee on Natural Resources Amendments dated March 26, 1975,

House Committee of the Whole Amendments dated April 3, 1975, and recommend as follows:

Having had under consideration House Committee on Natural Resources Amendments dated March 22 (printed amendments of March 20), 1975,

That the House recede from Amendments Nos. 1 through 9,

Having had under consideration House Committee on Natural Resources Amendments dated March 26, 1975,

That the Senate accede to Amendments Nos. 1, 5, 11, and 12,

And further that the House recede from Amendments Nos. 2, 3, 4, 6 and 7 through 10,

And further that Senate Bill No. 175, Third Reading bill, be amended as follows:

4. Amend page 2, section 2, subsection (2), line 20.

Following: "elevation"

Insert: ", including the land within twenty (20) horizontal feet from that high water elevation"

6. Amend page 3, section 3, lines 15 and 16.

Following: "lagooning,"

Strike: "and filling"

Insert: "filling; constructing breakwaters of pilings; wharves and docks"

Having had under consideration House Committee of the Whole Amendments dated April 3, 1975,

That the Senate accede to Amendment No. 1

And that Senate Bill No. 175, as so amended, be concurred in.

FOR THE SENATE:

MANLEY, Chairman
McOMBER
BROWN

FOR THE HOUSE:

HUENNEKENS, Chairman
MELOY
BARRETT

Report adopted.

MESSAGES FROM THE OTHER HOUSE

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on House Bill No. 586

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee Report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 (corrected copy) on House Bill No. 285

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Conference Committee Report on Senate Amendments to House Bill No. 443

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that the Conference Committee on Governor's Amendments to House Bill No. 666 be dissolved.

Motion carried.

The Acting Speaker replaces the Speaker in the Chair.

Jack Moore moved that the House accede to the Senate Amendments to House Bill No. 73.

McKittrick moved that Jack Moore's motion be laid on the table.

Motion carried.

The Speaker resumes the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

O'Connell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 18, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on House Bill No. 712 be not adopted. (49-47)

Meloy replaces O'Connell in the Chair.

That the Conference Committee Report on House Bill No. 27 be adopted. (70-11)

That the Conference Committee Report on Senate Bill No. 175 be adopted. (62-19)

O'Connell resumes the Chair.

That the Committee rise and report.

O'CONNELL, Chairman

Fabrega moved to segregate the Conference Committee Report on House Bill No. 712 and, as amended, the report be adopted.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Free Conference Committee Report on House Bill No. 27 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 86.

Noes: Conroy, Fagg, Kanduch, Lockrem, Mercer. Total 5.

Excused: Asher, Ellerd, Finley, Lund. Total 4.

Absent or not voting: Bardanouve, Fabrega, Hageman, Palmer, Staigmiller. Total 5.

The Free Conference Committee Report on Senate Bill No. 175 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Hageman, Hager, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wyrick, Yardley, Mr. Speaker. Total 83.

Noes: Bardanouve, Brand, Casey, Conroy, Gwynn, Halvorson, Kanduch, Lockrem, Mercer, Palmer, Smith, Tropila, Wood. Total 13.

Excused: Asher, Ellerd, Finley, Lund. Total 4.

Absent or not voting: None.

REPORTS OF STANDING COMMITTEES

April 18, 1975

I have examined House Bill No. 271 introduced by me and find the same to be correct.

BARDANOUE

April 18, 1975

I have examined House Bill No. 666 introduced by me and find the same to be correct.

VINCENT

April 18, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 271, 666.

QUILICI, Chairman

April 18, 1975

The following bill will be signed at recess on April 18, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 271.

Edwin A. Smith, Chief Clerk
House of Representatives

April 18, 1975

The following bill was signed in the office of the Speaker of the House of Representatives on April 18, 1975: House Bill No. 666.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

April 18, 1975

Honorable Pat McKittrick
Speaker of the House of Representatives
State Capitol

Dear Speaker McKittrick:

I have the honor to inform you that I have this day approved House Bills Nos. 53, 54, 60, 114, 184, 295, 412, 435, 512, 576, 602, 698, 700, 705 and 713.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Lynch moved that the rules be suspended so that the House be allowed to dissolve itself into a Committee of the Whole again this legislative day.

Motion failed, requiring a two-thirds vote.

Driscoll moved that the House adjourn until 9:00 a.m., April 19, 1975.

Motion carried.

House adjourned.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 19, 1975

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Bardanouve, Finley, Lund, Ellerd, and Thomas, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eighty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

April 19, 1975

The following bills and resolution will be signed at 9:30 a.m. on April 19, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 78, 116, 342, 227, 251, 264, 395, 397, 406, House Resolution No. 7.

Edwin A. Smith, Chief Clerk
House of Representatives

April 18, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 18, 1975: House Bills Nos. 264, 271, 341, 401, 426, 453, 557, 642, 648, 663, 715.

Edwin A. Smith, Chief Clerk
House of Representatives

MESSAGES FROM THE OTHER HOUSE

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Amendments to Senate Bill No. 31, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, was this day read three several times, and failed to receive a two-thirds affirmative vote of the legislature with the following vote:

SENATE

YEAS - 27

NAYS - 23

HOUSE OF REPRESENTATIVES

YEAS - 72

NAYS - 28

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to Senate Bill No. 407, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, were this day read three several times, and concurred in by the Senate with the following vote:

SENATE

YEAS - 43

NAYS - 4

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on Senate Bill No. 54

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on Senate Bill No. 175

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 269

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on House Bill No. 712

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 18, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill, requiring a two-thirds affirmative roll call vote by the members of each House to override the Governor's Veto, failed to receive a two-thirds affirmative vote of the Senate, and the bill is herewith returned to the House with the following vote:

House Bill No. 155, introduced by Yardley, Fagg

SENATE

YEAS - 19

NAYS - 30

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Meloy moved that the rules be suspended to allow the introduction of two appropriations bills.

Motion carried with a two-thirds majority.

Meloy moved that all business which passes Second Reading this day be placed on Third Reading this day.

Motion carried.

Meloy moved that all conference committee reports read this day be placed on Second Reading this day.

Motion carried.

Gunderson moved that the House reconsider its action on the Meloy motion to allow the introduction of two appropriations bills so that the motion may be considered in two parts.

Motion failed.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 19, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on House Bill No. 712 be adopted. (62-36)

That the Committee rise and report and beg leave to sit again.

LOCKREM, Chairman

Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

The Free Conference Committee Report on House Bill No. 712 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Bengtson, Bertelsen, Brand, Casey, Conroy, Dassinger, Driscoll, Ellis, Ellison, Fabrega, Fagg, Finley, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Harper, Helmbrecht, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kelly, Kropp, Kummerfeldt, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Menahan, Mercer, Jack Moore, Mular, O'Connell, Quilici, Robbins, Schye, Seifert, Sivertsen, Smith, South, Thomas, Tropila, Underdal, Williams, Wood, Wyrick, Mr. Speaker. Total 63.

Noes: R. Baeth, W. Baeth, Bardanouve, Bradley, Day, Dussault, Fishbaugh, Gunderson, Hageman, Halvorson, Holmes, Huennekens, Johnson, Kemmis, Kendall, Kimble, Kvaalen, Lester, Lockrem, Meloy, James Moore, Palmer, Rasmussen, Richards, Scully, Shelden, Sloan, Staigmiller, Stoltz, Teague, Travis, Vincent, Wolfe, Yardley. Total 34.

Paired: Finley, Lund, Thomas, Ayes; Bardanouve, Kvaalen, Palmer, Noes.

Excused: Ellerd. Total 1.

Absent or not voting: Federico, Murphy. Total 2.

REPORTS OF STANDING COMMITTEES

April 19, 1975

I have examined House Resolution No. 7 introduced by me and find the same to be correct.

MC KITTRICK

April 18, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly enrolled: House Resolution No. 7.

QUILICI, Chairman

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 716, introduced by Gerke: A bill for an act entitled: "An

act to appropriate moneys for the operation of the Legislature." Referred to Committee on Appropriations.

House Bill No. 717, introduced by Lynch, McKittrick, Gerke, Driscoll, Mular: A bill for an act entitled: "An act to appropriate moneys to the Workmen's Compensation Division to fund the provisions of Senate Bill No. 54, Laws of 1975." Referred to the Committee on Appropriations.

MOTIONS

Driscoll moved that the rules be suspended and that House Bills Nos. 716 and 717 be placed on Second Reading this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 19, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 716 do pass. (80-1)

That House Bill No. 717 do pass. (77-8)

That the Committee rise and report and beg leave to sit again.

LOCKREM, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 716 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Dassinger, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Scully, Seifert, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Bardanouve, Ellerd, Finley, Lund, Thomas. Total 5.

Absent or not voting: Casey, Day, Fagg, Kimble, Kropp, Palmer, Schye, Sivertsen. Total 8.

House Bill No. 717 passed by the following vote:

Ayes: Ageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Guthrie, Gwynn, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kummerfeldt, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Robbins, Scully, Seifert, Shelden, Smith, South, Staigmiller, Teague, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Mr. Speaker. Total 81.

Noes: Gunderson, Hageman, Hubing, Kvaalen, Richards, Sloan, Stoltz, Yardley. Total 8.

Excused: Bardanouve, Ellerd, Finley, Lund, Thomas. Total 5.

Absent or not voting: Fagg, Kimble, Kropp, Palmer, Schye, Sivertsen. Total 6.

REPORTS OF STANDING COMMITTEES

April 19, 1975

I have examined House Bill No. 254 introduced by me and find the same to be correct.

FAGG

April 19, 1975

I have examined House Bill No. 443 introduced by me and find the same to be correct.

KIMBLE

April 19, 1975

I have examined House Bill No. 586 introduced by me and find the same to be correct.

BABCOCK

April 19, 1975

I have examined House Bill No. 684 introduced by me and find the same to be correct.

WOLFE

April 19, 1975

I have examined House Bill No. 272 introduced by me and find the same to be correct.

MC KITTRICK

April 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 254, 272, 443, 586, 684.

QUILICI, Chairman

April 19, 1975

The following bills will be signed at 10:00 a.m. on April 19, 1975, in

the office of the Speaker of the House of Representatives: House Bills Nos. 254, 272, 443, 586, 684.

Edwin A. Smith, Chief Clerk
House of Representatives

Robbins excused at this time.

REPORTS OF STANDING COMMITTEES

April 19, 1975

I have examined House Bill No. 633 introduced by me and find the same to be correct.

JAMES MOORE

April 18, 1975

I have examined House Bill No. 285 introduced by me and find the same to be correct.

MC KITTRICK

April 19, 1975

I have examined House Bill No. 286 introduced by me and find the same to be correct.

MC KITTRICK

April 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 285, 286, 633.

QUILICI, Chairman

April 19, 1975

The following bills will be signed at 10:45 a.m. on April 19, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 285, 286, 633.

Edwin A. Smith, Chief Clerk
House of Representatives

April 19, 1975

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on April 19, 1975: Senate Bills Nos. 78, 116, 227, 251, 342, 395, 397, 406, House Resolution No. 7, House Bills Nos. 254, 272, 285, 286, 443, 586, 633, 684.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

April 19, 1975

Free Joint Conference Committee Report No. 2
On Senate Bill No. 112

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met April 18, 1975, and considered:

House Committee of the Whole Amendments dated March 25, 1975, and recommend as follows:

That the Senate accede to Amendment No. 1,

And further that the House recede from Amendments Nos. 2 and 3.

Having further considered Senate Bill No. 112, the Free Joint Conference Committee further recommends:

That Senate Bill No. 112, Third Reading bill, be amended as follows:

1. Amend title, line 4.

Following: "amending"

Strike: "Section"

Insert: "Sections"

2. Amend title, line 5.

Following: "53-438"

Insert: "and 40-4403"

3. Amend title, line 8.

Following: "accident,"

Strike: "and"

4. Amend title, line 11.

Following: "accident"

Insert: ", and to increase the uninsured motorist requirement"

5. Amend page 6, section 1, line 8.

Following: line 8

Insert: "Section 2. Section 40-4403, R.C.M. 1947, is amended to read as follows:

'40-4403. Motor vehicle liability policies to include uninsured motorist coverage — rejection of coverage by insured. No automobile liability or motor vehicle liability policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle, shall be delivered or issued for delivery in this state, with respect to any motor vehicle registered or principally garaged in this state, unless coverage is provided therein or supplemental thereto, in limits for bodily injury or death set forth in section [53-422] 53-438, under provisions filed with and approved by the insurance commissioner, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness or disease, including death, resulting therefrom; provided, that the named insured shall have the right to reject such coverage; and, provided further, that unless the named insured requests such coverage in writing, such coverage need not be provided in or supplemental to a renewal policy where the named insured had rejected the coverage in connection with the policy previously issued to him by the same insurer."

And that Senate Bill No. 112, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:

LYNCH, Chairman
WARDEN
DRAKE

FOR THE HOUSE:

JAMES MOORE, Chairman
SCULLY
LORY

Report adopted.

MOTIONS

Meloy moved that the Speaker be authorized to continue the authority of the Select Committee on Educational TV and give it interim committee status.

As a substitute motion, Lockrem moved that the responsibilities of the Educational TV committee be assigned to the Legislative Post-Audit Committee.

The substitute motion failed.

Thereupon, the original motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 19, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Free Conference Committee Report on Senate Bill No. 112 be adopted. (67-23)

That the Committee rise and report and beg leave to sit again.

LOCKREM, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Free Conference Committee Report on Senate Bill No. 112 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Babcock, R. Baeth, W. Baeth, Barrett, Bradley, Casey, Conroy, Dassinger, Driscoll, Dussault, Ellis, Fabrega, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Gwynn, Hager, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kelly, Kemmis, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lynch, McFadden, Magone, Meloy, Menahan, Mercer, Jack Moore, James Moore, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Seifert, Shelden, Sivertsen, Sloan, South, Stoltz, Teague, Travis, Vincent, Williams, Wolfe, Mr. Speaker. Total 65.

Noes: Asher, Bertelsen, Brand, Day, Ellison, Fagg, Guthrie, Hageman, Halvorson, Helmbrecht, Hubing, Johnston, Kanduch, Kendall, Marks, Schye, Smith, Staigmiller, Tropila, Underdal, Wood, Wyrick, Yardley. Total 23.

Paired: Shelden, Aye; Fagg, No.

Excused: Bardanouve, Ellerd, Finley, Lund, Robbins, Thomas. Total 6.

Absent or not voting: Aageson, Bengtson, Kropp, Manuel, Mular, Scully. Total 6.

MESSAGES FROM THE OTHER HOUSE

April 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, and concurred in, title and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 716, introduced by Gerke

House Bill No. 717, introduced by Lynch, McKittrick, et al

Respectfully yours,

John N. Hanson
Secretary of the Senate

REPORTS OF STANDING COMMITTEES

April 19, 1975

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be terminated by the House of Representatives of the Forty-fourth Legislature at the close of business April 17, 1975:

James Dick.....	Watchman
Brian Holland.....	Watchman
Steven Marks.....	Watchman
Rick Thornton.....	Watchman

LYNCH, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

April 19, 1975

Free Joint Conference Committee Report No. 3
On Senate Bill No. 235

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 235, met April 19, 1975, and considered:

House Committee on Business and Industry Amendments dated March 14, 1975,

House Committee of the Whole Amendments dated March 20, 1975, and recommend as follows:

Having had under consideration House Committee on Business and Industry Amendments dated March 14, 1975,

That the House recede from Amendment No. 1,

And further that Senate Bill No. 235, Third Reading bill, be amended as follows:

1. Amend page 1, section 1, line 15.

Following: "agreement."

Strike: "Parties"

Insert: "On amounts up to one hundred fifty thousand dollars (\$150,000) parties"

2. Amend page 1, section 1, line 18.

Following: "four"

Strike: "percent (4%)"

Insert: "(4) percentage points"

3. Amend page 1, section 1, line 21.

Following: "district"

Strike: "at the date the loan is executed"

Insert: ", whichever is greater"

4. Amend page 1, section 1, lines 23 and 24.

Following: "judgment."

Strike: "On loans in excess of one million dollars (\$1,000,000),"

Insert: "On amounts exceeding one hundred fifty thousand dollars (\$150,000) and up to three hundred thousand dollars (\$300,000) parties may agree in writing for the payment of any rate of interest not more than ten percent (10%) per annum or more than five (5) percentage points in excess of the discount rate on ninety-day commercial paper in effect at the federal reserve bank in the ninth federal reserve district, whichever is greater and such interest shall be allowed, according to the terms of the agreement, until the entry of judgment. On amounts exceeding three hundred thousand dollars (\$300,000)"

5. Amend page 2, section 1, line 1.

Following: "limitation"

Insert: ", and such interest shall be allowed, according to the terms of the agreement, until the entry of judgment."

Having had under consideration House Committee of the Whole Amendments dated March 20, 1975,

That the House recede from Amendments Nos. 1, 2, and 3,

And that Senate Bill No. 235, as so amended, be concurred in.

FOR THE SENATE:

REGAN
ROSELL

Report adopted.

FOR THE HOUSE:

VINCENT, Chairman
MELOY
FAGG

MESSAGES FROM THE OTHER HOUSE

April 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 2 on Senate Bill No. 112

Respectfully yours,

John N. Hanson
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

April 19, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Free Conference Committee Report on Senate Bill No. 235 be adopted. (81-11)

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

The Free Conference Committee Report on Senate Bill No. 235 was adopted by the following vote:

Ayes: C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Dussault, Ellis, Ellison, Fagg, Federico, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hager, Halvorson, Harper, Herlevi, Holmes, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Schye, Scully, Shelden, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 80.

Noes: Aageson, Brand, Casey, Fabrega, Helmbrecht, Hubing, Johnson, Lockrem, Jack Moore, Seifert, Sivertsen, Tropila. Total 12.

Paired: Conroy, Aye; Tropila, No.

Excused: Bardanouve, Ellerd, Finley, Lund, Robbins, Thomas. Total 6.

Absent or not voting: Hageman, Kropp. Total 2.

REPORTS OF STANDING COMMITTEES

April 19, 1975

I have examined House Bill No. 269 introduced by me and find the same to be correct.

MC KITTRICK

April 19, 1975

I have examined House Bill No. 672 introduced by me and find the same to be correct.

MC KITTRICK

April 19, 1975

I have examined House Bill No. 712 introduced by me and find the same to be correct.

MC KITTRICK

April 19, 1975

I have examined House Bill No. 716 introduced by me and find the same to be correct.

MC KITTRICK

April 19, 1975

I have examined House Bill No. 717 introduced by me and find the same to be correct.

MC KITTRICK

April 19, 1975

Mr. Speaker: The Committee on Bills reports the following bills correctly enrolled: House Bills Nos. 269, 672, 712, 716, 717.

QUILICI, Chairman

April 19, 1975

The following bills will be signed at 4:05 p.m. on April 19, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 269, 672, 712, 716, 717, Senate Bills Nos. 2, 54, 246, 329, 330, 367, 378.

Edwin A. Smith, Chief Clerk
House of Representatives

April 19, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 19, 1975: House Bills Nos. 269, 672, 712, 716, 717, Senate Bills Nos. 2, 54, 246, 329, 330, 367, 378.

Edwin A. Smith, Chief Clerk
House of Representatives

April 19, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on March 18, 1975: Senate Bills Nos. 37, 89, 102, 293 - March 19, 1975.

Edwin A. Smith, Chief Clerk
House of Representatives

April 19, 1975

Mr. Speaker: We, your Committee on Bills, to whom were referred the following bills, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were, on the following days, delivered to the Governor for his approval:

House Bill No. 1 - January 11, 1975

House Bill No. 40 - January 18, 1975

House Bill No. 6 - January 30, 1975

House Bill No. 7 - February 3, 1975

House Bill No. 109 - February 6, 1975

House Bills Nos. 141, 520, 2 - February 7, 1975

House Bill No. 30 - February 8, 1975

House Bill No. 25 - February 11, 1975

House Bills Nos. 24, 39 - February 13, 1975

House Joint Resolutions Nos. 6, 22 - February 18, 1975
House Bills Nos. 99, 147 - February 18, 1975
House Bills Nos. 31, 142, 232 - February 19, 1975
House Bills Nos. 37, 38, 22, 41 - February 22, 1975
House Bills Nos. 32, 105, 230, 233 and 253 - March 6, 1975
House Bills Nos. 167, 78, 465, 67 - March 10, 1975
House Bill No. 679 - March 12, 1975
House Bills Nos. 89, 91, 92, 124, 136, 150, 169, 246, 249,
287, 288, 315, 343, 482, 487, 514, 574 - March 14, 1975
House Bills Nos. 3, 28, 151, 206, 208, 212, 292, 357,
360, 457 - March 15, 1975
House Bills Nos. 72, 122, 163, 213, 214, 226, 242, 322
692 - March 15, 1975
House Bills Nos. 102, 118, 175, 178, 220, 241, 258, 304,
352, 375, 381, 397, 484, 497, 498, 499, 500, 661, 283,
293, 448, 530, 536, 618, 33, 76, 386, 388, 473, 399,
71, 308, 355, 328, 508, 365, 535, 338, 116, 508, 383,
345, 336, 384, 188, 261, 501 - March 21, 1975
House Bill No. 481 - March 21, 1975
House Bills Nos. 5, 504, 570 - March 22, 1975
House Bills Nos. 229, 458, 537, 598, 631 - March 22, 1975
House Bills Nos. 297, 306, 568 - March 24, 1975
House Bills Nos. 180, 252, 464, 509, 527,
551 - March 25, 1975
House Bills Nos. 247, 454, 513 - March 28, 1975
House Bills Nos. 107, 203, 313, 316, 337, 378, 485, 522,
590, 623, 659 - March 28, 1975
House Bills Nos. 216, 353, 358, 362, 638 - March 31, 1975
House Bills Nos. 182, 234, 260, 404, 624 - April 1, 1975
House Bills Nos. 86, 110, 303, 416, 447, 455,
565, 699 - April 4, 1975
House Bills Nos. 95, 144, 155, 266, 305, 307, 309,
356, 368, 396, 418, 419, 463, 471, 518, 531, 562,
563, 571, 579, 637, 676, 678 - April 5, 1975
House Bills Nos. 9, 13, 29, 45, 77, 83, 93, 106, 112,
125, 127, 140, 152, 173, 176, 179, 195, 202, 207, 217,
243, 267 - April 7, 1975
House Bills Nos. 290, 299, 302, 320, 324, 340, 354, 409,
420, 434, 435, 436, 445, 451, 452, 472, 492, 493, 507,
517, 533, 545, 555, 561, 569, 646, 656, 691 - April 7, 1975
House Bills Nos. 70, 245, 282, 332, 424, 480, 519, 583,
647, 671 - April 9, 1975
House Bills Nos. 55, 104, 108, 183, 228, 274, 335,
338, 367, 372, 389, 400, 439, 446, 460, 461, 469,
486, 538, 539, 593, 597, 607, 615, 621, 627, 648,
650, 666 - April 10, 1975
House Bill No. 566 - April 10, 1975
House Bills Nos. 113, 342, 427, 623 - April 14, 1975
House Bills Nos. 8, 10, 143, 177, 198, 393, 395, 396,
435, 531, 613, 683 - April 18, 1975
House Bill No. 666 - April 18, 1975
House Bills Nos. 121, 218, 264, 265, 271, 289, 341, 401,
426, 453, 516, 532, 557, 569, 581, 622, 637, 642, 648,
663, 715 - April 19, 1975
House Bill No. 269 - April 19, 1975
House Bills Nos. 672, 712, 716, 717 - April 19, 1975
House Bills Nos. 254, 272, 285, 286, 443, 586,
633, 684 - April 19, 1975

House Bills Nos. 130, 164, 197, 327, 334, 370, 488,
567, 591, 643 - April 15, 1975

House Bills Nos. 53, 54, 60, 100, 114, 154, 184, 295, 412,
512, 528, 599, 602, 698, 700, 705, 713 - April 17, 1975

House Bills Nos. 161, 576 - April 17, 1975

QUILICI, Chairman

MESSAGES FROM THE OTHER HOUSE

April 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, removed Free Joint Conference Committee Report on House Bill No. 27 from Committee of the Whole and rereferred the report to Conference Committee.

Respectfully yours,

John N. Hanson
Secretary of the Senate

April 19, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee report was this day on Third Reading, adopted, on roll call vote:

Free Conference Committee Report No. 3 on Senate Bill No. 235

Respectfully yours,

John N. Hanson
Secretary of the Senate

MOTIONS

Driscoll moved that the Speaker be authorized to appoint a committee to inform the Governor that the House is adjourning subject to a call of the Chair.

Motion carried.

The Speaker appointed the following committee: Staigmilller, Harper, Yardley, Rasmussen, Hager, Kanduch, Lien, and Mercer.

Driscoll moved that the Speaker be authorized to appoint a committee to inform the Supreme Court that the House is adjourning subject to a call of the Chair.

Motion carried.

The Speaker appointed the following committee: Mular, Tropila, Palmer, John Anderson, Bradley, C. R. Anderson, Menahan, Herlevi, and Teague.

Driscoll moved that the Speaker be authorized to appoint a committee to inform the Senate that the House is adjourning subject to a call of the Chair.

Motion carried.

The Speaker appointed the following committee: Lynch, O'Connell,

Manuel, Wood, Guthrie, Seifert, Ellison, Casey, Holmes, Kummerfeldt, and Ellis.

REPORTS OF STANDING COMMITTEES

April 19, 1975

The following bills will be signed at 5:00 p.m. on April 19, 1975, in the office of the Speaker of the House of Representatives: Senate Bills Nos. 76, 86, 112, 175, 235, 236, 278, 407.

Edwin A. Smith, Chief Clerk
House of Representatives

April 19, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 19, 1975: Senate Bills Nos. 76, 86, 112, 175, 235, 236, 278, 407.

Edwin A. Smith, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

The committee appointed to notify the Governor reported that it had done so, and that the Governor had thanked them for their hard work and told them his doors were always open to receive them at any time. The Committee was thanked for their faithful performance and discharged.

The committee appointed to notify the Supreme Court reported that it had done so. They were thanked for their faithful performance and discharged.

The committee appointed to notify the Senate reported that it had done so. They were thanked for their faithful performance and discharged.

A committee from the Senate composed of Graham, Story, Fasbender and Rosell was admitted and advised the House that the Senate had completed its business and is ready to adjourn.

REPORTS OF STANDING COMMITTEES

April 19, 1975

The following bills will be signed on April 19, 1975, in the office of the Speaker of the House of Representatives: House Bills Nos. 269, 672, 712, 716, 717, Senate Bills Nos. 13, 87.

Edwin A. Smith, Chief Clerk
House of Representatives

April 19, 1975

The following bills were signed in the office of the Speaker of the House of Representatives on April 19, 1975: Senate Bills Nos. 13, 87.

Edwin A. Smith, Chief Clerk
House of Representatives

MOTIONS

Driscoll moved that the House be adjourned subject to the call of the Chair.

As a substitute motion, Marks moved that the House be adjourned sine die.

The substitute motion failed.

Driscoll amended the original motion to read that the House adjourn subject to the call of the Chair with no per diem payments made until the House reconvenes.

Marks moved to amend the original Driscoll motion to read that the House be adjourned subject to the call of the Chair with the unanimous concurrence of the majority and minority leaders.

The substitute motion failed.

Driscoll withdrew his amendment to the original motion. Thereupon, the original motion read that the House be adjourned subject to the call of the Chair.

Motion carried.

House adjourned at 5:50 p.m.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk

HOUSE JOURNAL

OF THE

Governor's Special Session Forty-fourth Legislature

OF THE

STATE OF MONTANA

Commencing August 4, 1975

Ending August 4, 1975

HOUSE JOURNAL

OF THE

Governor's Special Session Forty-fourth Legislature

OF THE

State of Montana

FIRST LEGISLATIVE DAY

Helena, Montana
August 4, 1975

House Chambers
Capitol Building

Pursuant to the proclamation of His Excellency, the Governor, and to the Law in such cases, made and provided, the House of Representatives of the Forty-fourth Legislature of the State of Montana, in Special Session assembled, is hereby called to order by the Speaker, the Honorable Pat McKittrick, at 1:30 p.m., Monday, August 4, 1975.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

COMMUNICATIONS AND PETITIONS

August 4, 1975

Honorable Pat McKittrick
Speaker of the House
Capitol

Dear Pat:

This is to advise you that no changes have been recorded in this office so far as membership of the House of Representatives is concerned.

For your information, however, I am attaching copies of the original alphabetical and district membership certifications prepared for you last January.

Sincerely yours,

FRANK MURRAY
Secretary of State

MESSAGES FROM THE GOVERNOR

August 1, 1975

The Honorable Gordon W. McOmber
President of the Senate
State Capitol
Helena, Montana

The Honorable Pat McKittrick
Speaker of the House
House of Representatives
State Capitol
Helena, Montana

Gentlemen:

As a result of errors made in the drafting of the proclamation convening this special session of the Forty-fourth Legislature, two bills which should have been included in the second item of the call were omitted, and the fiscal years for which the setting of the six mill levy must be considered were incorrect. Therefore, I hereby request that the Forty-fourth Legislature, convened in special session, consider and act on the following matters:

- 1) Enactment of the six mill property tax levy for the years 1975 and 1976 as authorized by section 84-3804, R.C.M., 1947, for Montana University System support for the fiscal years 1976 and 1977 (instead of fiscal years 1975 and 1976 as indicated in the preamble of the proclamation);
- 2) Amendment of general appropriation bills House Bills 285 and 286, Laws of Montana, 1975, in addition to those listed in the proclamation, for the purpose described in the proclamation.

Very truly yours,

THOMAS L. JUDGE
Governor

MOTIONS

Driscoll moved for adoption of the following committee report.

August 4, 1975

Mr. Speaker: We, your Committee on Joint Rules, respectfully report as follows: That the Joint Rules of the Forty-fourth Legislature be adopted with the following exceptions:

1. Rule 6-6 be modified to begin numbering of special session bills with Special Session Bill No. 1.
2. Rule 6-19 be modified to allow printing of 300 bills rather than 600.
3. Rule 6-20 be suspended.
4. Rule 6-22 be suspended.
5. Rule 6-29 be suspended.

DRISCOLL, Chairman

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Special Session House Bill No. 1, introduced by Meloy, Driscoll: A bill for an act entitled: "An act to amend appropriation bills passed by the 1975 Legislature in regular session to specifically appropriate funds from sources other than the General Fund which were not available for consideration by the Legislature; insuring that such funds are subject to the budget amendment process; and providing an immediate effective date." Referred to Committee on Appropriations.

Special Session House Joint Resolution No. 1, introduced by Bardanouve: A Joint Resolution of the Senate and the House of Representatives of the State of Montana prescribing the duties and compensation of legislative officers and employees. Referred to Committee on Appropriations.

Special Session House Joint Resolution No. 2, introduced by Driscoll: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing certain emergency rules of the Department of Social and Rehabilitation Services involving assistance to the medically needy; and prohibiting the department from adopting permanent rules of a similar nature. Referred to Committee on Appropriations.

MOTIONS

Driscoll moved that the Speaker be authorized to appoint a committee of two to escort the Governor into the Chambers upon arrival.

Motion carried.

The Speaker appointed the following: Representatives Bardanouve and Smith.

Driscoll moved that the House be recessed until 2:20 p.m.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

SPECIAL ORDERS OF THE DAY

Members of the Senate were admitted to the House.

Assembly being in Joint Session, Senate President Gordon McOmber, occupying the Chair for the Joint Session, appointed the following committee to notify the Governor that the Senate and House of Representatives had convened in Joint Assembly and were ready to hear his message: Senators Manning and Mathers, and Representatives Bardanouve and Smith.

His Excellency, Governor Thomas L. Judge, and the Lieutenant Governor, Bill Christiansen, were escorted to the rostrum. Senator McOmber introduced the Lieutenant Governor to the Joint Assembly. After being presented to the assembly by the President of the Senate, Governor Judge delivered his address:

ADDRESS OF GOVERNOR THOMAS L. JUDGE TO THE SPECIAL SESSION OF THE FORTY-FOURTH LEGISLATURE, AUGUST 4, 1975, at 2:30 P.M.

Lieutenant Governor Christiansen, President McOmber, Mr. Speaker, members of the Forty-fourth Legislature, fellow citizens:

When the inadvertent omission by the Legislature this year to levy a six mill property tax levy to fund the appropriation of more than \$15.8 million for the university system was called to our attention, I defended action in the Supreme Court of the State of Montana brought by the Lewis and Clark County Commissioners to rectify the situation.

In my briefs before the Court, I pointed out that the Legislature had appropriated funds from the University Millage Earmarked Revenue Account, as it had done in every session since the account was established in 1949. I argued that it was clearly the intent of this Legislature to levy a tax on all real and personal property during 1975 and 1976 for the support, maintenance, and operation of the university system during this biennium.

On July 23, the state Supreme Court declared that no valid property tax had been levied in 1975 to fund the \$15.8 million appropriation. In making its determination, the Court ruled unanimously that "merely appropriating funds does not constitute a levy of taxes" and that authorization for the Legislature to levy a tax also does not constitute a levy.

On Saturday, July 26, I met with the leaders of both houses of the Legislature, and I told them of my decision to convene a special session to address this and one other related problem.

Throughout the period of the controversy surrounding the six mill levy issue, some have suggested that the need for a special session was negated by my legal ability to declare a condition of emergency for the universities and then authorize the use of 1977 General Fund appropriations in this fiscal year. Because of the substantial General Fund surplus which we are now enjoying, this does seem to be a fiscally plausible course of action.

However, I am unalterably opposed to this method of addressing this problem for five reasons:

First. The people of Montana overwhelmingly approved this six mill levy for use by the university system in a statewide referendum in 1968.

Second. This Legislature, after careful consideration of the university budget, clearly intended that the six mill levy be employed to help fund that budget.

Third. Utilization of the surplus to replace revenues which would otherwise come from the six mill levy would mandate in 1975 an automatic tax increase for the biennium beginning in 1977.

According to the projections of the Director of the Office of Budget and Program Planning, this action would bring by the end of Fiscal 1979 a deficit of just over \$1 million. And, if the six mills are again not levied during that biennium, the deficit would be closer to \$20 million.

According to the revenue estimates of the Legislative Fiscal Analyst for the next two years, and projecting his estimate into the next biennium, there would be a deficit of \$25 to \$30 million. If the six mills are not levied during the next biennium, the General Fund deficit would approach \$45 million.

I have repeatedly promised the people of Montana that there would be no tax increases during the four year term of this administration, and I have projected that, barring adverse fluctuations in the national economy, there would be no further tax increases for the remainder of this decade. I intend to do all within my authority to keep my word.

Fourth. Preservation of the surplus because of the uncertain economic conditions facing this country is essential.

Fifth. And, most importantly, the property taxpayer of this state who would benefit most from this would be the large corporate taxpayer. Failure to use the six mills in this biennium would result in less than \$20 in tax relief for the average Montana home owner and no tax relief

whatsoever to those who rent their homes. At the same time, the six biggest corporate property taxpayers of Montana alone would receive nearly \$3.3 million in tax relief.

I am certain that most of you share with me the conviction that this cannot by any stretch of the imagination be called tax relief for Montanans.

The action of the Supreme Court on July 23 raises, in addition, a matter which is potentially of even more far reaching concern than the six mill university levy.

This Legislature determined not to include language in any of the general appropriation bills to allow expenditure of funds received after completion of the regular session. As a result, it is questionable whether the State of Montana can legally spend any federal funds which have since been deposited in the Treasury.

On Tuesday, July 29, 1975, the Budget Director ordered state agencies not to spend several million dollars in federal and other funds which we have received, until such time as the Legislature makes, in accordance with the direction of the State Constitution, an appropriation of these monies by law.

Article VIII, Section 14 of the Constitution of Montana provides that "...no money shall be paid out of the Treasury unless upon an appropriation made by law..."

Article V, Section 11 of the Constitution provides that "... (a) law shall be passed by bill... No bill shall become law except by a vote of the majority of all members (of the Legislature) present and voting."

Clearly, the power to appropriate is strictly a legislative function and can be exercised by the Legislature alone. This power cannot be delegated either to a committee of that body or to an executive branch agency.

Prior to this year, previous Legislatures had always framed and enacted into law language which appropriated monies from sources other than the general fund that were not available for consideration during regular sessions.

In our 1975 executive budget proposals to this body, we included similar language in the general appropriation bills.

On the advice of the Legislative Fiscal Analyst, however, this language was struck. The members of the Legislature were, I know, acting in good faith.

But the recent Supreme Court ruling makes unmistakably apparent the fact that there is no law in existence which can be construed to be an appropriation by the Legislature of the fund which the state receives from federal and private sources, that were not available for legislative review during the regular session.

The proposal being submitted to you today would amend each major appropriation bill by the addition of a provision appropriating these funds.

And before these funds could be spent under the language of this proposal, the agency receiving the funds would have to obtain approval for their expenditure from the Legislative Finance Committee. In addition the conditions in the appropriation bills relevant to budget amendments would have to be met.

As I have said previously, I find the recent actions of the Legislative Finance Committee in refusing \$1.3 million in federal funds absolutely

incomprehensible, although I know that the members of the Committee — all conscientious and capable individuals — acted in good faith on the basis of ill-conceived staff recommendations.

These funds were sought by this administration in conjunction with the Montana Congressional delegation to provide critically needed assistance to the people of this state.

The people of Montana, when they are afflicted by natural disasters over which they have no control, expect and deserve effective action from their government.

The people of Montana, when shifts in the national economy cause thousands of men and women to lose their jobs and the means to their livelihood, expect and deserve effective action from their government.

The people of Montana who require emergency medical services expect and deserve effective action from their government.

Although I disagree with the recent actions of this Committee the amendment to the general appropriation language which I am proposing is neither intended to, nor in fact does, undermine the function and responsibilities of the Legislative Finance Committee.

I am requesting this language change to protect the status of appropriations contained in the original bills which may be constitutionally endangered by the lack of explicitly stated appropriations.

The interpretation of the Constitution by the State Supreme Court is clear: the intent of the Legislature is not relevant where specific appropriations have not been made by law. And since only the duly elected representatives of the people — sitting in this the first and preeminent branch of government — may enact laws, I have been forced to call this body into a special session to deliberate and act upon these two urgent matters.

The time for handling these matters is short. The law requires that the six mill university levy be enacted before August 11. And no adequate accounting to the taxpayers of this state could be made for a session lasting more than a few days to address these two issues.

But as I pointed out in my meeting last week with your leadership, there are other serious problems facing Montana. Legislation to address most of these problems has already been considered by the Legislature meeting in regular session this year. Since that time, other situations have arisen which are equally serious.

As I have had no way of knowing whether the members of this body are interested in considering these issues, I have limited my call to the two problems I have described.

However, if the members of both houses are convinced that these problems are of paramount importance and the leaders of the House and Senate can demonstrate that their membership will act promptly and specifically on these matters, I will be willing to consider opening the session to these few issues and to these issues only.

But I cannot and I will not be party to any attempt to transform this special session into a wide open regular session. That merely would be an exercise in futility and an exorbitant wasting of the taxpayers' dollars.

I wish you well in your deliberations.

The Governor and Lieutenant Governor were escorted from the chamber.

It was moved by Senator Lynch that the Joint Assembly be dissolved.

Motion carried.

The Joint Assembly having been dissolved, the House resumed business at 2:45 p.m.

Mr. Speaker in the Chair.

House recessed until 3:30 p.m.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

August 4, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1, introduced bill, be amended as follows:

1. Amend page 1, section 1, lines 21 through 25.

Following: "committee"

Strike: "under sections 43-1117 through 43-1119. However, if sections 43-1117 through 43-1119 should be found unconstitutional then such monies may be made available for expenditure only by a budget amendment as provided in this act"

2. Amend page 2, section 2, lines 9 through 13.

Following: "committee"

Strike: "under sections 43-1117 through 43-1119. However, if sections 43-1117 through 43-1119 should be found unconstitutional then such monies may be made available for expenditure only by a budget amendment as provided in this act"

3. Amend page 2, section 3, lines 22 through 25, and page 3, section 3, line 1.

Following: "committee"

Strike: "under sections 43-1117 through 43-1119. However, if sections 43-1117 through 43-1119 should be found unconstitutional then such monies may be made available for expenditure only by a budget amendment as provided in this act"

4. Amend page 3, section 4, lines 10 through 14.

Following: "committee"

Strike: "under sections 43-1117 through 43-1119. However, if sections 43-1117 through 43-1119 should be found unconstitutional then such monies may be made available for expenditure only by a budget amendment as provided in this act"

5. Amend page 3, section 5, lines 23 through 25, and page 4, section 5, lines 1 and 2.

Following: "committee"

Strike: "under sections 43-1117 through 43-1119. However, if sections 43-1117 through 43-1119 should be found unconstitutional then such monies may be made available for expenditure only by a budget amendment as provided in this act"

6. Amend page 4, section 6, lines 11 through 15.

Following: "committee"

Strike: "under sections 43-1117 through 43-1119. However, if sections 43-1117 through 43-1119 should be found unconstitutional then such monies may be made available for expenditure only by a budget amendment as provided in this act"

7. Amend page 4, section 7, lines 24 and 25, and page 5, section 7, lines 1 through 3.

Following: "committee"

Strike: "under sections 43-1117 through 43-1119. However, if sections 43-1117 through 43-1119 should be found unconstitutional then such monies may be made available for expenditure only by a budget amendment as provided in this act"

8. Amend page 5.

Following: line 3

Insert: "Section 8. It is the intent of the legislature that each substantive provision of this act is severable. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision shall not affect the validity of the remaining substantive provisions of this act."

"Section 9. This act is effective on its passage and approval."

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

August 4, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 do pass.

BARDANOUE, Chairman

Report adopted.

August 4, 1975

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 be amended in the first reading bill as follows:

1. Page 2, line 25.

Following: "equitably"

Insert: "and proportionately"

2. Page 2, line 25.

Following: "among all"

Strike: "categories"

Insert: "sub-programs"

3. Page 3, line 1.

Following: "assistance"

Insert: "including medical assistance benefits"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

August 4, 1975

Mr. Speaker: We, your Committee on Legislative Administration, in accordance with House Resolution No. 6, recommend that the following be classified as pre-session legislative employees, and employed by the House of Representatives for the Governor's Special Session No. 1 of the Forty-fourth Legislature effective July 27, 1975:

Edwin A. Smith	Chief Clerk
Martha B. McGee	Assistant Chief Clerk
Edmund F. Sheehy	Reading Clerk

Pat Tyanich.....	Bills Clerk
Linda J. Barrett.....	Journal Clerk
Robert Stephens.....	Sergeant-at-Arms
Danny Oberg.....	Assistant Sergeant-at-Arms

LYNCH, Chairman

Report adopted.

August 4, 1975

Mr. Speaker: We, your Committee on Legislative Administration, in accordance with House Resolution No. 6, recommend that the following be employed by the House of Representatives for the Governor's Special Session No. 1 of the Forty-fourth Legislature effective August 4, 1975:

Edwin A. Smith.....	Chief Clerk
Martha B. McGee.....	Assistant Chief Clerk
Edmund F. Sheehy.....	Reading Clerk
Carol Williams.....	Secretary to Chief Clerk
Pat Tyanich.....	Bills Clerk
Diann Fradette.....	Assistant Bills Clerk
Linda J. Barrett.....	Journal Clerk
Roberta Murphy.....	Secretary to Speaker of House and Majority Floor Leader
Louise Sullivan.....	Secretary to Minority Leader
Josephine Lahti.....	Committee Secretary
Emelia Satre.....	Committee Secretary
Robert Stephens.....	Sergent-at-Arms
Clyde J. Neu.....	Assistant Sergeant-at-Arms
Danny Oberg.....	Assistant Sergeant-at-Arms
Charles Morgan.....	Doorman
Kathy Murphy.....	Page
Ernest J. Lees.....	Page
Nancy Tyanich.....	Page

LYNCH, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

Special Session House Bill No. 2, introduced by Marks, Johnston, Lockrem, Gwynn, Hubing, Smith: A bill for an act entitled: "An act appropriating fifteen million eight hundred thirty-six thousand five hundred twenty-eight dollars from the General Fund to the Earmarked Revenue Fund, University Millage Account, and providing an immediate effective date." Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules as amended. Motion carried.

Murphy in the Chair. Committee arose. Mr. Speaker in the Chair.

August 4, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Special Session House Bill No. 1 do pass. (94-5)

That Special Session House Joint Resolution No. 1 be passed to the bottom of the board.

That Special Session House Joint Resolution No. 2 do pass. (93-4)

That Special Session House Joint Resolution No. 1 be amended as follows:

Page 2, (2) (a), insert after the word "wages" the following sentence: "Each employee shall receive a five percent (5%) increase for each year of legislative experience not to exceed two (2) years."

Page 2, line 13, insert \$5.15 in lieu of \$4.68.

Page 2, line 15, insert \$4.80 in lieu of \$4.37.

Page 2, line 17, insert \$4.80 in lieu of \$4.37.

Page 2, line 22, insert \$4.80 in lieu of \$4.37.

Page 3, line 11, insert \$5.15 in lieu of \$4.68.

Page 4, line 3, insert \$4.80 in lieu of \$4.37. (95-2)

And as amended, do pass. (96-3)

That the Committee rise and report and beg leave to sit again.

MURPHY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Special Session House Bill No. 1 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 97.

Noes: Brand, James Moore. Total 2.

Excused: None.

Absent or not voting: Rasmussen. Total 1.

Special Session House Joint Resolution No. 1 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt,

Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, James Moore, Mular, Murphy, O'Connell, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Sloan, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 96.

Noes: Palmer, Tropila. Total 2.

Excused: None.

Absent or not voting: Dussault, Fagg. Total 2.

Special Session House Joint Resolution No. 2 passed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Dussault, Federico, James Moore, Sloan, Travis, Tropila. Total 6.

Excused: None.

Absent or not voting: None.

MESSAGES FROM THE OTHER HOUSE

August 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 1 introduced by Lynch and Fasbender

Respectfully yours,

Stephen H. Meloy
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

Special Session Senate Bill No. 1, introduced by Lynch, Fasbender: A bill for an act entitled: "An act to provide support of the Montana University System; and to provide an immediate effective date." Referred to Committee on Taxation.

House recessed until 6:30 p.m.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

August 4, 1975

Mr. Speaker: We, your Committee on Taxation, having had under consideration (Governor's Special Session) Senate Bill No. 1, respectfully report as follows: That (Governor's Special Session) Senate Bill No. 1 be concurred in.

YARDLEY, Chairman

Report adopted.

August 4, 1975

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 2 (Special Session), respectfully report as follows: That House Bill No. 2 (Special Session) be deemed to be outside of the Governor's call and therefore, not subject to consideration by this special session.

DRISCOLL, Chairman

As a substitute motion, Marks moved that the report be not adopted and the bill be placed on Second Reading.

Marks requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose, and the motion failed by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, Barrett, Casey, Conroy, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Guthrie, Gwynn, Hager, Hubing, Johnston, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 35.

Noes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Hageman, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 65.

Excused: None.

Absent or not voting: None.

Thereupon, the original motion carried and the report was adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules as amended. Motion carried.

Murphy in the Chair. Committee arose. Mr. Speaker in the Chair.

August 4, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Special Session Senate Bill No. 1 be concurred in. (64-34)

That the Committee rise and report and beg leave to sit again.

MURPHY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Special Session Senate Bill No. 1 was concurred in by the following vote:

Ayes: C. R. Anderson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Dassinger, Day, Driscoll, Dussault, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lien, Luebeck, Lynch, McFadden, Magone, Manuel, Meloy, Menahan, James Moore, Murphy, O'Connell, Palmer, Quilici, Richards, Robbins, Scully, Shelden, Sloan, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Vincent, Williams, Wolfe, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, J. Anderson, Asher, Babcock, Barrett, Casey, Conroy, Ellerd, Ellis, Ellison, Fabrega, Fagg, Gould, Guthrie, Gwynn, Hager, Hubing, Kropp, Kvaalen, Lockrem, Lory, Lund, Marks, Mercer, Jack Moore, Rasmussen, Schye, Seifert, Sivertsen, Smith, Underdal, Wood, Wyrick. Total 33.

Excused: None.

Absent or not voting: Hageman, Mular. Total 2.

MESSAGES FROM THE OTHER HOUSE

August 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times, and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence in Senate Amendments:

House Bill No. 1 introduced by Meloy and Driscoll

Respectfully yours,

Stephen H. Meloy
Secretary of the Senate

August 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Resolution was this day read three several times, and passed, title and history agreed to, and the resolution is herewith transmitted to the House for concurrence in Senate amendments:

House Joint Resolution No. 2 introduced by Driscoll and Meloy

Respectfully yours,

Stephen H. Meloy
Secretary of the Senate

August 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Resolution was this day read three several times, and passed, title and history agreed to, and the resolution is herewith transmitted to the House:

House Joint Resolution No. 1 introduced by Bardanouve

Respectfully yours,

Stephen H. Meloy
Secretary of the Senate

August 4, 1975

Mr. Speaker:

This is to notify the honorable House of Representatives that the Senate has completed its business of the special session of the 44th Legislative Assembly and is ready to adjourn sine die upon notification of the same by the House.

Very truly yours,

W. Gordon McOmber
President of the Senate

MOTIONS

Kimble moved that the House consider and call itself into special session to consider the following issues: an emergency appropriation for the control of grasshoppers; provide for an appropriation to the Department of Social and Rehabilitation Services' medically needy program; a supplement to the University System and Board of Regents' budget.

Kimble requested a roll call vote with the ayes and nays spread upon the journal. Sufficient seconds arose.

Quilici moved to divide Kimble's motion into three parts.

The Chair ruled the motion was divisible.

Kemmis appealed the ruling of the Chair to the Committee on Rules.

Motion to appeal failed.

Quilici's motion carried.

Without objection, Kimble withdrew the request for the money for the control of grasshoppers from his motion.

Kimble's motion for a special session for an appropriation to the Department of Social and Rehabilitation Services for the medically needy program failed by the following vote:

Ayes: Bardanouve, Bertelsen, Bradley, Brand, Casey, Driscoll, Dussault, Ellis, Federico, Gilligan, Gould, Harper, Helmbrecht, Herlevi, Holmes, Johnson, Kemmis, Kendall, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, Magone, Meloy, Menahan, Murphy, O'Connell, Palmer, Richards, Sloan, Teague, Travis, Vincent, Williams, Wolfe. Total 38.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Barrett, Bengtson, Conroy, Dassinger, Day, Ellerd, Ellison,

Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Hubing, Huennekens, Jacobsen, Johnston, Kanduch, Kelly, Kropp, Kvaalen, Lien, Lockrem, McFadden, Manuel, Marks, Mercer, Jack Moore, James Moore, Mular, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Thomas, Tropila, Underdal, Wood, Wyrick, Yardley, Mr. Speaker. Total 62.

Excused: None.

Absent or not voting: None.

Kimble's motion for a special session for a supplement to the University System and Board of Regent's budget failed by the following vote:

Ayes: Bradley, Brand, Dussault, Ellerd, Ellis, Federico, Gilligan, Gould, Harper, Helmbrecht, Holmes, Huennekens, Johnson, Kelly, Kemmis, Kimble, Kummerfeldt, Lester, Lory, Luebeck, Lund, Lynch, McFadden, Meloy, Menahan, Mular, Murphy, Palmer, Richards, Sloan, Stoltz, Teague, Travis, Vincent, Wolfe. Total 35.

Noes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Casey, Conroy, Dassinger, Day, Driscoll, Ellison, Fabrega, Fagg, Finley, Fishbaugh, Fleming, Gerke, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Herlevi, Hubing, Jacobsen, Johnston, Kanduch, Kendall, Kropp, Kvaalen, Lien, Lockrem, Magone, Manuel, Marks, Mercer, Jack Moore, James Moore, Quilici, Rasmussen, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Thomas, Tropila, Underdal, Williams, Wood, Wyrick, Yardley, Mr. Speaker. Total 64.

Excused: None.

Absent or not voting: O'Connell. Total 1.

Murphy moved that the House call itself into special session for the consideration of an appropriation for the control of grasshoppers.

Motion failed.

Dussault moved that the journal be changed to record her vote on the medically needy program from no to yes.

Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules as amended.

Motion carried.

Murphy in the Chair. Committee arose. Mr. Speaker in the Chair.

August 4, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to Special Session House Joint Resolution No. 2 be not concurred in. (88-4)

That Senate Amendments to Special Session House Bill No. 1 be not concurred in. (89-9)

That the Committee rise and report and beg leave to sit again.

MURPHY, Chairman

Report adopted.

MOTIONS

Driscoll moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate to confer on Special Session House Joint Resolution No. 2.

Motion carried.

Driscoll moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate to confer on Senate Amendments to Special Session House Bill No. 1.

Motion carried.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate to confer on Special Session House Joint Resolution No. 2: Driscoll, Chairman, Fagg and Menahan.

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate to confer on Special Session House Bill No. 1: McKittrick, Chairman, Meloy and Rasmussen.

REPORTS OF STANDING COMMITTEES

August 4, 1975

I have examined House Joint Resolution No. 1 introduced by me and find the same to be correct.

BARDANOUE

August 4, 1975

Mr. Speaker: The Committee on Bills reports the following resolution correctly enrolled: House Joint Resolution No. 1.

QUILICI, Chairman

August 4, 1975

The following resolution was signed at 10:30 p.m. on August 4, 1975, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 1.

Edwin A. Smith, Chief Clerk
House of Representatives

August 4, 1975

The following bill was signed at 10:30 p.m. on August 4, 1975, in the office of the Speaker of the House of Representatives: Senate Bill No. 1.

Edwin A. Smith, Chief Clerk
House of Representatives

House recessed.

House resumed at 10:50 p.m. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

August 4, 1975

The Honorable Earl Butz
Secretary of Agriculture
Washington, D. C.

Dear Mr. Secretary:

We, the undersigned members of the Montana House of Representatives, protest the moratorium imposed upon further foreign export of the 1975 wheat crop. By imposing an artificial restraint upon the market forces affecting wheat prices, the government is denying wheat producers the real incentive they need to maximize production. At the same time, the same administration is moving to decontrol the price of old oil for the purpose of encouraging oil producers to maximize their production. This is discrimination against the wheat-producing states.

We urge equity for America's wheat producers be done by immediate lifting of the moratorium on export sales of this year's crop.

Sincerely,

Rep. Jack Gunderson
Pat McKittrick, Speaker
Rep. Hershel Robbins
John C. Vincent
Rep. Fred Fishbaugh
Rep. Wes Teague
Joe Tropila
Sam Wolfe
John B. Staigmilller
Polly Holmes
Dan Yardley

cc: President Gerald R. Ford
Senator Mike Mansfield
Senator Lee Metcalf
Representative John Melcher
Representative Max Baucus

MESSAGES FROM THE OTHER HOUSE

August 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House and the President was authorized to appoint a Free Joint Conference Committee to meet with a like committee of the House to confer on House Joint Resolution 2.

The President appointed the following members:

Elmer Flynn, Chairman
Thomas E. Towe
William L. Mathers

Respectfully yours,

Stephen H. Meloy
Secretary of the Senate

August 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House and the President was authorized to appoint a Joint Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 1.

The President appointed the following members:

Larry Fasbender, Chairman
Donald R. Foster
Stan Stephens

Respectfully yours,

Stephen H. Meloy
Secretary of the Senate

REPORTS OF SELECT COMMITTEES

Joint Conference Committee Report On House Bill No. 1 (Special Session)

Mr. President and Speaker of the House:

We, your Joint Conference Committee met August 4, 1975, and considered House Bill No. 1 on Senate Finance and Claims Amendments dated August 4, 1975, to House Bill No. 1, and recommend as follows:

That the Senate recedes from the Standing Committee amendments,

And that House Bill No. 1, as so amended, do pass.

FOR THE SENATE:

Larry Fasbender, Chairman
Don Foster
Stan Stephens

Report adopted.

FOR THE HOUSE:

Pat McKittrick, Chairman
Mike Meloy
Tom Rasmussen

Free Joint Conference Committee Report On House Joint Resolution No. 2

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met August 4, 1975, and considered House Joint Resolution No. 2 on Senate Finance and Claims Amendments dated August 4, 1975, to House Joint Resolution No. 2, and recommend as follows:

That the House accede to the Senate Committee of the Whole amendments,

And further that the Senate recedes from the Standing Committee amendments,

And further that the bill be amended as follows:

1. Amend page 3, line 1.
Following: The Committee of the Whole Amendments

Insert: "When any projected state fund surplus from other economic assistance program areas arise, the director shall immediately distribute that surplus into the medically needy program."

And that House Joint Resolution No. 2, as so amended, do pass.

FOR THE SENATE:

Elmer Flynn, Chairman
Thomas Towle
Bill Mathers

Report adopted.

FOR THE HOUSE:

John B. Driscoll, Chairman
Harrison Fagg
William Menahan

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Driscoll moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading, under the rules as amended.

Motion carried.

Murphy in the Chair. Committee arose. Mr. Speaker in the Chair.

August 4, 1975

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Joint Conference Committee Report on Special Session House Bill No. 1 be adopted. (83-16)

That the Free Joint Conference Committee Report on Special Session House Joint Resolution No. 2 be adopted. (93-4)

That the Committee rise and report.

MURPHY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Conference Committee Report on Special Session House Bill No. 1 was adopted by the following vote:

Ayes: Aageson, C. R. Anderson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Casey, Conroy, Dassinger, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Huennekens, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lory, Luebeck, Lund, Lynch, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 94.

Noes: Gould, Hubing, Jacobsen, Lockrem, James Moore, Sloan. Total 6.

Paired: Huennekens, Meloy, Ayes; James Moore, Sloan, Noes.

Excused: None.

Absent or not voting: None.

The Free Conference Committee Report on Special Session House Joint Resolution No. 2 was adopted by the following vote:

Ayes: Ageson, J. Anderson, Asher, Babcock, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Dassinger, Day, Driscoll, Ellerd, Ellis, Ellison, Fabrega, Fagg, Federico, Finley, Fishbaugh, Fleming, Gerke, Gilligan, Gould, Gunderson, Guthrie, Gwynn, Hageman, Hager, Halvorson, Harper, Helmbrecht, Herlevi, Holmes, Hubing, Huennekens, Jacobsen, Johnson, Johnston, Kanduch, Kelly, Kemmis, Kendall, Kimble, Kropp, Kummerfeldt, Kvaalen, Lester, Lien, Lockrem, Lory, Luebeck, Lund, McFadden, Magone, Manuel, Marks, Meloy, Menahan, Mercer, Jack Moore, Mular, Murphy, O'Connell, Palmer, Quilici, Rasmussen, Richards, Robbins, Schye, Scully, Seifert, Shelden, Smith, South, Staigmiller, Stoltz, Teague, Thomas, Travis, Tropila, Underdal, Vincent, Williams, Wolfe, Wood, Wyrick, Yardley, Mr. Speaker. Total 92.

Noes: Brand, Casey, Dussault, Lynch, Sivertsen. Total 5.

Excused: None.

Absent or not voting: C. R. Anderson, James Moore, Sloan. Total 3.

MESSAGES FROM THE OTHER HOUSE

August 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Free Conference Committee Report on House Joint Resolution No. 2 was this day adopted on third reading roll call vote and the committee has been discharged.

Respectfully yours,

Stephen H. Meloy
Secretary of the Senate

August 4, 1975

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 1 was this day adopted on third reading roll call vote and the committee has been discharged.

Respectfully yours,

Stephen H. Meloy
Secretary of the Senate

REPORTS OF STANDING COMMITTEES

August 4, 1975

I have examined House Joint Resolution No. 2 introduced by me and find the same to be correct.

DRISCOLL

August 4, 1975

I have examined House Bill No. 1 introduced by me and find the same to be correct.

MELOY

August 4, 1975

Mr. Speaker: The Committee on Bills reports the following bill and resolution correctly enrolled: House Bill No. 1, House Joint Resolution No. 2.

MC KITTRICK, ex officio member

August 4, 1975

The following bill and resolution were signed at 11:40 p.m. on August 4, 1975, in the office of the Speaker of the House of Representatives: House Bill No. 1, House Joint Resolution No. 2.

Edwin A. Smith, Chief Clerk
House of Representatives

August 4, 1975

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 1, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 11:40 o'clock, p.m., delivered to the Governor for his approval.

MC KITTRICK, ex officio member

Driscoll moved that the first Special Session of the Forty-fourth Legislature called by the Governor, be adjourned sine die.

Motion carried.

House adjourned sine die at 11:42 p.m.

PAT MC KITTRICK, Speaker

EDWIN A. SMITH, Chief Clerk



